

JUDICIAL COUNCIL OF GEORGIA

General Session

Friday, August 20, 2004

Wyndham Atlanta Hotel

9:30 a.m.

Centennial Ballroom - B



Luncheon

12 Noon

Centennial Ballroom - A

*160 Spring Street
Atlanta, GA 30303*

DIRECTIONS TO THE WYNDHAM ATLANTA HOTEL

160 Spring Street
Atlanta, GA 30303
404-688-8600

FROM THE NORTH

Traveling Southbound on I-75 OR I-85, take Exit 249C (for Williams Street). Continue on Williams Street and make a left onto Andrew Young International Boulevard. Make a right turn onto Carnegie Way. The hotel Motor Lobby will be on your right. **NOTE: *The Wyndham Atlanta Hotel faces the rear entrance of the Westin Peachtree Plaza Hotel.***

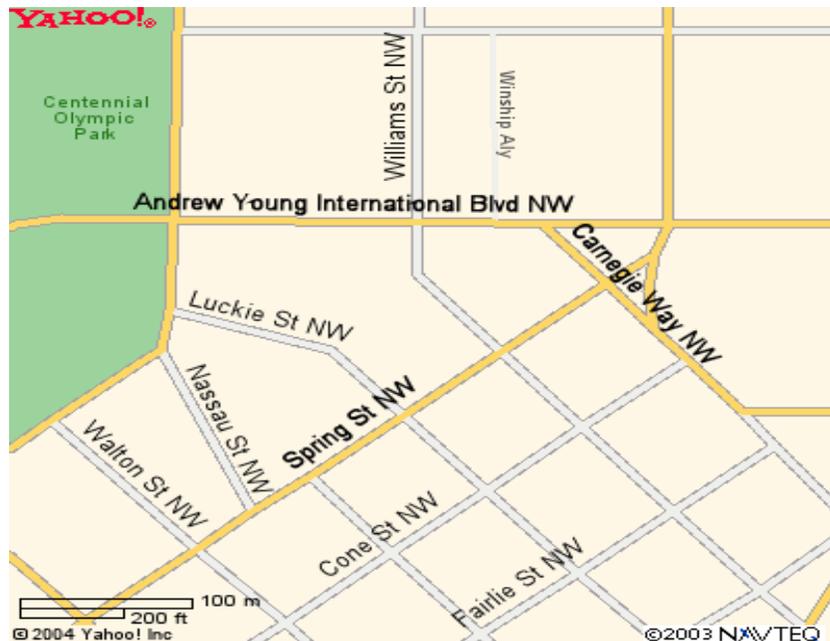
FROM THE SOUTH

Traveling Northbound on I-75 or I-85, take Exit 248C (for Andrew Young International Boulevard), continue to Spring Street. You will see the hotel straight ahead. After crossing Spring Street make the 1st left onto Carnegie Way and the hotel Motor Lobby will be on your right. **NOTE: *The Wyndham Atlanta Hotel faces the rear entrance of the Westin Peachtree Plaza Hotel.***

Traveling from the State Capitol area on surface streets,

Take Trinity Avenue (westbound) to Spring Street, turning right onto Spring and continue to the intersection of Spring Street and Carnegie Way. The Wyndham will be on your left.

PARKING NOTICE: At the intersection of Spring Street and Carnegie Way the Wyndham is on one corner and the Hampton Inn is on the opposite corner. ***For anyone not wishing to use Valet Parking at the Wyndham, there will be a Public parking lot next to the Hampton Inn's parking lot (enter from Carnegie Way).*** There is also a multi-level public parking on the corner of Carnegie Way and Cone Street (enter from Carnegie Way—formerly Macy's Parking Garage).



Judicial Council of Georgia
Wyndham Atlanta Hotel
160 Spring Street
Atlanta, GA

Friday, August 20, 2004

9:30 a.m.

Continental Breakfast will be served beginning at 8:30 a.m.

1. **Introductions and Preliminary Remarks**
(Chief Justice Fletcher, Est. Time—5 Min.)
2. **Approval of June 16, 2004 Minutes** Tab 1
(Chief Justice Fletcher, Est. Time—3 Min.)
3. **Consideration by the Judicial Council of Requests for Additional Superior Court Judgeships & Recommendations to the General Assembly and the Governor**
(Mr. Ratley & Dr. Arnold, Est. Time—30 Min.)
 - A. Judicial Council Policy for Judgeship & Circuit Boundary Studies Tab 2
 - B. Charts Tab 3
 - 1) Superior Court Circuit Time Line
 - 2) Circuits, Personnel, & Weighted Caseload
 - 3) CY2003 Criminal Filings by Rank & 5-year Percentage Change
 - 4) CY2003 Circuit & Civil Filings by Rank & 5-year Percentage Change
 - 5) Population
 - 6) 4-Factor
 - 7) Sample Ballots
 - C. Letters of Request and Comments from Invited Respondents:
 - 1) Alapaha Judicial Circuit (new request for 3rd Judge) Tab 4
 - 2) Appalachian Judicial Circuit (new request for 3rd Judge) Tab 5
 - 3) Atlanta Judicial Circuit (new request for 20th Judge) Tab 6
 - 4) Cobb Judicial Circuit (new request for 10th Judge) Tab 7
 - 5) Dublin Judicial Circuit (new request for 3rd Judge) Tab 8
 - 6) Houston Judicial Circuit (new request for 3rd Judge) Tab 9
 - 7) Southern Judicial Circuit (new request for 6th Judge) Tab 10
 - D. Carryover Circuit Requests Tab 11
 - 1) Cherokee Judicial Circuit (4th Judge)
 - 2) Coweta Judicial Circuit (6th Judge)
 - 3) Flint Judicial Circuit (3rd Judge)
 - 4) Gwinnett Judicial Circuit (9th and 10th Judge)
 - 5) Southern Judicial Circuit (5th Judge)

- 4. **Vote on Requests by Written Ballot**
- 5. **Committee on Court Reporting Matters** Tab 12
(Judge Boyett, Est. Time—5 Min.)
- 6. **Report from AOC Director**
(Mr. Ratley, Est. Time—10 Min.)
- 7. **Rank Judgeship Recommendations**
[Including all carryover requests]

* * * * * **15 Minute Break** * * * * *

- 8. **Budget Matters** Tab 13
(Judge Salter, Mr. Harris, Est. Time—15 Min.)
FY 2005 Supplemental and
FY 2006 General Appropriations & Enhancements
- 9. **Report on SSCIS Project**
(Judge Flanders, Mr. Nolan, Est. Time—15 Min.)
- 10. **Judicial Emergency Management Task Force**
(Justice Thompson, Est. Time—5 Min.)
- 11. **Jury Composition Committee of the Supreme Court**
(Justice Thompson, Est. Time—10 Min.)
- 12. **Old/New Business**
(Chief Justice Fletcher, Est. Time—15 Min.)

Old Business:

- ▶ Standard Code and Statute Table Committee
- ▶ Court Fee Committee
- ▶ Cross Jurisdictional Issues Study Committee

New Business:

Date and Place of Next Regular Council Meeting

Date: Friday, December 10, 2004

Place: To Be Determined

- 12. **Concluding Remarks and Adjournment**
(Chief Justice Fletcher, Est. Time 5 Min.)

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12 Noon — Lunch Served in Centennial Ballroom - A



Judicial Council of Georgia Administrative Office of the Courts

David L. Ratley
Director

MEMORANDUM

August 3, 2004

TO: Members of the Judicial Council

FR: Billie Bolton 
Assistant Director for Communications

RE: Draft Minutes of the June 2004 Meeting

Please review the draft minutes of the Judicial Council meeting held on June 16, 2004 and let me know if you have corrections or additions. I can be reached at 404-656-6784.

Thank you.

Judicial Council of Georgia
Minutes of the Meeting held June 16, 2004
Jekyll Island Club Hotel

Members Present:

Chief Justice Norman S. Fletcher, Chair
Presiding Justice Leah Ward Sears, Vice-Chair
Judge Fred A. Bishop
Judge Mike Bracewell
Judge Edward E. Carriere, Jr.
Judge A. Wallace Cato
Judge Daniel M. Coursey, Jr.
Judge William H. Craig
Judge G. Bryant Culpepper
Judge Jerry Day
Judge Doris Downs
Judge Gibbs Flanders
Judge George H. Kreeger
Judge James E. McDonald, Jr.
Judge Robin Nash
Judge F. Gates Peed
Judge John F. Salter, Sr.
Chief Judge J.D. Smith
Judge Marvin W. Sorrells
Judge Susan Tate
Judge Philip R. West

Members Absent:

Judge Linda W. Hunter
Judge John H. Ruffin, Jr.
Judge Haynes Henton Townsend

Staff Present:

Mr. David L. Ratley
Ms. Rebecca Alston
Dr. Greg Arnold
Ms. Michelle Barclay
Ms. Billie Bolton
Ms. Stephanie Chambliss
Ms. Cynthia Clanton
Ms. Terry Cobb
Mr. Randy Dennis

Ms. Ashley Garner
Mr. Vince Harris
Ms. Leslie Johnson
Mr. Jay Martin
Ms. Marla Moore
Ms. Debra Nesbit
Mr. Michael Neuren
Mr. George Nolan
Ms. Sharon Reiss
Mr. Kevin Tolmich

Guests Present:

Mr. Doug Ashworth, Council of Superior Court Judges
Judge William Boyett, Conasauga Judicial Circuit
Ms. Connie Cheatham, Clerk of Superior Court, McDuffie County
Judge Melodie Clayton, State Court of Cobb County
Mr. George Collins, Ninth District Court Administrator
Judge William Coolidge, III, Municipal Court of Suwanee
Mr. John Cowart, Second District Court Administrator
Ms. Judith Cramer, Fifth District Court Administrator
Mr. Mike Cucarro, Council of Superior Court Judges
Ms. Charlotte Davidson, Prosecuting Attorneys Council
Mr. Danny DeLoach, First District Court Administrator
Ms. Rachel Ferencik, Council of Superior Court Judges
Mr. Stephan Frank, Council of State Court Judges
Mr. Tom Gunnells, Tenth District Court Administrator
Justice Harris Hines, Supreme Court of Georgia
Justice Carol Hunstein, Supreme Court of Georgia
Mr. Greg Jones, Third District Court Administrator
Mr. Tom Lawler, Clerk of Superior Court, Gwinnett County
Mr. Nolan Martin, Eighth District Court Administrator
Mr. Tom Merriam, Council of Superior Court Judges
Judge Henry Newkirk, State Court of Fulton County
Judge John Ott, Alcovy Judicial Circuit
Ms. Jody Overcash, Seventh District Court Administrator
Judge Timothy Pape, Juvenile Court of Floyd County
Ms. Molly Perry, Council of Superior Court Judges
Judge Donald Peppers, State Court of Walker County
Ms. Tina Petrig, Office of Dispute Resolution
Mr. Richard Reaves, Institute of Continuing Judicial Education
Judge Rucker Smith, Southwestern Judicial Circuit
Judge Hugh Stone, Enotah Judicial Circuit
Justice Hugh Thompson, Supreme Court of Georgia
Judge Kelly Turner, State Court of Lowndes County
Judge Bo Wood, Lookout Mtn. Judicial Circuit

Chief Justice Fletcher called the meeting to order at 9:05 a.m. He noted that Presiding Justice Sears is campaigning across the state and may have to leave before the meeting is over. He expressed appreciation to Justice Sears for her attendance and welcomed everyone to the meeting. He recognized those judges who have joined the Judicial Council since the December meeting: Judges Coursey, Peed, Downs, McDonald and Bracewell. The Chief Justice stated that four newly-elected administrative judges would take their seats at the August 2004 meeting. These are Judges Stone, Wood, Ott and Nunn. He asked the members of the Council to introduce themselves followed by those in the audience.

Approval of Minutes

Chief Justice Fletcher called attention to the minutes of the December, 2003 meeting found in the agenda. He noted that Judge Cato had submitted a grammatical change. Also on page six, two names of Jury Committee members are listed incorrectly: these names should be *David Hutchings* and *Patty Morelli*. The Chief Justice asked for any other additions or corrections to the minutes. Judge Craig moved approval of the minutes as corrected; Judge Flanders seconded. The motion carried.

Status of Judgeship Requests

Mr. Ratley noted that the deadline for requesting new judgeships was June 15, 2004. New requests have been received from the Appalachian, Alapaha, Dublin and Houston circuits. Six judgeships already recommended by the Council will be carried over as well. Caseload figures for all circuits will be presented at the August meeting. The General Assembly has not acted on judgeship recommendations made by the Council in 2002 and 2003. Mr. Ratley stated that SB 594, creating five new judgeships, passed

the Senate, but failed to pass the House. He noted that new judgeship bills must be drafted for consideration in the 2005 session.

Juvenile Court Time Standards for Case Processing

Dr. Arnold reported that the Executive Committee of the Council of Juvenile Court Judges has been revising the time standards for juvenile cases that were drawn up with assistance from the National Center. Judge Nash and others continue their efforts to complete the time standards with assistance from the AOC research staff.

Reports from Committees and Commissions

Nominating Committee. Judge Smith noted that Judge Christian had served as chair of the nominating committee during her term on the Judicial Council. Today's recommendations were made in consultation with Judge Carriere from applicants for vacancies on the Board of Court Reporting. The recommendations are as follows: Ms. Sharon Moore (reappointment); Judge Ann Workman (superior court representative); Mr. Eric S. Kristjanson (court reporter); Mr. Gregory Parent (attorney member). Mr. Steven Ray Green is recommended to succeed Mr. Alex Gallow who recently resigned from the Board. Judge Smith moved that the names be accepted as nominations to the Board of Court Reporting. Judge Bishop seconded. There were no other nominations. The motion carried.

Moving to recommendations for members of the Judicial Council Committee on Court Reporting Matters, Judge Smith noted that all current committee members were eligible for reappointment. The Nominating Committee recommends that these individuals continue to serve. Members are: Judge Boyett, Chair; Judge Phipps, Judge

Salter, and Judge Craig. Judge Smith moved that the nominations for the Committee on Court Reporting Matters be adopted. Judge Bishop seconded. The motion carried.

The Nominating Committee was also asked to reconsider the number of officers for the Judicial Council, since it appears there are no duties for the office of treasurer. The committee proposes naming Judge Tate as secretary/treasurer for the coming year. Subsequently the position of treasurer would be discontinued as the Council does not handle money. Judge Smith moved that the recommendation regarding officers for the Judicial Council be adopted. Judge Bishop seconded. The motion carried.

Written reports were submitted by the Committee on Court Reporting Matters, the Domestic Violence Committee, the Commission on Access and Fairness, the Commission on Interpreters and the Georgia Courts Automation Commission.

Records Retention Recommendations

Dr. Arnold reported that during informal discussions with Mr. Andrew Taylor, Director of State Records Retention (Secretary of State's Office), feasibility of allowing the Judicial Branch to create its own record's retention schedules for administrative court records was discussed. Mr. Taylor was open to the possibility; Ms. Moore and Dr. Arnold will be working on a memorandum of understanding with Mr. Taylor's office. Once specific schedules are drawn up for the courts, the Judicial Council will be asked to approve implementation of these policies.

At the Chief's request a Task Force Group met recently to discuss court records retention issues, to review certain schedules and make revisions. The work of this group will be presented to the Judicial Council Records Retention Committee in the coming weeks. This committee will draft judicial branch records retention schedules and will

also address concerns regarding destruction of testing materials produced by the Board of Court Reporting certification process.

Dr. Arnold also noted that retention of physical evidence used in the courtroom and other types of evidence is an issue of ongoing concern. There is no clear indication of the proper custodian for these items. Another issue involves items requested in discovery and retention of electronic communications.

Judge Cato moved that the Records Retention Committee of the Judicial Council be directed to promulgate rules regarding retention and disposition of physical evidence (DNA and other) for review by the Judicial Council. The motion was seconded by Judge Flanders and carried unanimously.

Legislative Update

Ms. Nesbit noted that a handout detailing legislation considered during the session had been distributed. She reported the successful passage of HB 1450, the Judicial Emergency Act, and expressed appreciation to Justice Thompson's committee on emergency procedures and Mr. Jay Martin of the AOC.

During the recent special session HB 1EX, the Public Defender funding mechanism, was approved. The bill has now been signed by Governor Purdue and is in effect. Ms. Nesbit stated that the Superior Court Clerks Cooperative Authority is the agency designated to collect monies generated by the new filing fees and it will provide training for court personnel on new procedures. She noted that many questions remain regarding implementation; some matters have already been referred to the Attorney General for clarification. She asked that judges visit the AOC website or call her regarding any questions on specific legislation.

Judge Carriere expressed appreciation to Ms. Nesbit for her diligent efforts during the legislative session and her responsiveness to inquiries from judges. Ms. Nesbit was given a round of applause.

Budget Matters

Judge Smith announced that a two-day budget workshop for members of the Judicial Council will be held later in the summer in conjunction with a meeting of the budget committee. Three dates have been proposed: July 19-20, August 5-6 and August 9-10. Judges will be asked to choose among these dates and will be notified well in advance of the meeting time and place.

Referring to the budget documents found behind Tab 9, Judge Smith briefly detailed increases and/or decreases to the '04 final appropriations. For the majority of budget line items, there was little overall change. There was a decrease to the public defender standards council budget and a slight increase in the budget for superior courts. Most agencies sustained a 2.5% cut.

As to the '05 General Appropriations, a 0.11% increase is reflected in the total judicial branch appropriation. The Judicial Council budget was reduced by a 02.03%. The \$22 million increase funds the new circuit public defender

Noting that Judge Smith has asked to step down as chair of the Budget Committee, Chief Justice Fletcher expressed gratitude to him for his able leadership of the budget committee since its inception. Under Judge Smith's direction, the budget committee has worked diligently to provide oversight to the Judicial Council's budget process. The Chief Justice asked for a round of applause for Judge Smith.

Judge Smith stated that without assistance from Mr. Ratley, Mr. Harris and Mr. Tolmich of the AOC, his job would have been impossible. Their assistance is essential to the operation of the budget committee and he said the credit should go to them.

Chief Justice Fletcher announced that three members of the budget committee have completed their terms: Judges Kreeger, Overstreet and Walker. He has appointed new members as follows: Judges Nash, Peed, and Flanders. Judge Jerry Day has agreed to continue his tenure on the committee until January 1, 2005. Because Presiding Judge Ruffin prefers not to serve on the committee, Justice Fletcher has appointed Judge Carriere in his stead. Judge John Salter, State Court of Dougherty County, has agreed to be the new chair. The Chief Justice thanked these judges for their willingness to serve.

Report of AOC Director

Mr. Ratley began by thanking Dr. Arnold and the research staff for their efforts in the area of records retention. Turning to the recent legislative session, he stated that he feels more active guidance from the Judicial Council is needed regarding shepherding of judgeship bills. When AOC staff members are called on to answer inquiries or provide information to legislators regarding pending legislation, they would like to be more certain of the parameters for input. Mr. Ratley therefore requests that a more formal mechanism for obtaining timely advice in such matters be considered.

Noting that while certain responsibilities for collection of court fees did not fall to the AOC, there are other issues raised by the fee bill that the agency must address. All case management software provided to courts by the AOC or by private vendors must now be modified to reflect provisions of the bill. The necessary re-programming for AOC- provided software is underway and will be made available to the 300 courts using

this software as soon as possible. Mr. Ratley stated that he will keep the Council updated as adjustments and refinements to the software progress.

In accordance with a Memorandum of Understanding between the AOC and the Georgia Public Defender Standards Council dated June 1, 2004, our fiscal department will handle specified accounting functions for the new GPDSC. The memo covers a one-year period and provides that AOC will handle accounts payable for the council's central office as well as for contract attorneys, conflict attorneys, outside experts, court reporters, etc. that may be retained. Assistant Director Randy Dennis will also oversee accounts receivable, travel reimbursements, administration of benefits and payroll for the new council. Mr. Ratley expects when all circuit public defender offices are fully staffed, an additional 450 employees will be absorbed into our payroll system. He stated that he is pleased the office could enter into this partnership with GPDSC and foresees no difficulties in providing the agreed-upon services.

The AOC senior staff is currently re-evaluating position titles used by the agency with an eye to greater conformance with LBO, Peoplesoft and other classification systems. Mr. Ratley announced that as of July 1, Ms. Nesbit and Ms. Clanton will be promoted to Associate Director positions. He stated that these two individuals, along with current Associate Directors, Vince Harris and Marla Moore, are largely responsible for the success of agency programs and projects.

In closing, Mr. Ratley acknowledged the unflagging support and leadership of Chief Justice Fletcher throughout the frustrations and difficulties encountered during the 2004 legislative session. He emphasized that the Chief's presence at the Capitol was a sustaining force both for himself and other senior staff members. Mr. Ratley was joined

by the members of the Judicial Council, the staff and the audience in a round of applause for Chief Justice Fletcher.

Reports from Appellate Courts & Trial Courts

Supreme Court. Chief Justice Fletcher reported that Ms. Mary McQueen is the new president of the National Center for State Courts. Ms. McQueen, a native of Walker County, Georgia, has served as court administrator of the state of Washington, for a number of years. She has been the recipient of numerous awards for excellence and will assume her new position in August.

Chief Justice Fletcher asked the members of the Council to spread the word that he encourages judges to keep pressure on the General Assembly regarding adequate funding of the Judicial Branch. He stated that judges must keep legislators informed, not only of what we do, but also of our ongoing needs. He stated that we should not apologize to anyone for our appropriations requests. Judicial Branch spending is not even 1% of total state expenditures. Our budgets are not excessive and never have been.

Chief Justice Fletcher also expressed his appreciation to all judges around the state who worked for establishment of the new public defender system. He noted that for some 30 years insuring adequate defense for indigents has been of great concern to trial judges. Their advocacy has helped pave the way for our eventual success. He looks forward to greatly improved services once the new system is fully operational. He also recognized the determination and wisdom of Speaker Coleman in designing the system.

Court of Appeals. Judge Smith reported that the court is working to decide all cases by the July deadline. The court is beginning to plan events for its centennial celebration which will take place throughout 2006. The court was created by the General

Assembly in 1906 and began operation in January, 1907. Chief Judge Ruffin is chair of the centennial committee.

Superior Courts. Judge Flanders reported activities of their council as follows: 1) sponsorship of the Court Information-Sharing Collaborative conference held May 24-25 in Atlanta; 2) steps to increase sentencing options through sponsorship of pilot projects such as Day Reporting Centers; 3) sponsorship of the Judicial Election Campaign seminar with ICJE; the program took place in February and was attended by judges from all classes of court; 4) planning is in progress for an August conference to be held in conjunction with the Council on Substance Abuse to explore the issues around abuse of methamphetamines; 5) completion of a new benchbook chapter on handling domestic violence cases; and 6) a motion was passed by their executive committee in support of the State Bar's efforts to establish a judicial section of the Bar.

State Courts. Judge Carriere reported on activities as follows: 1) sponsorship of Mock trial program for high school students; 2) formation of a Committee on Infractions which includes judges of other courts to discuss creation of a category of offenses below misdemeanors; 3) operation of local DUI specialty courts has led to excellent results for participating offenders; and 4) their mentoring program for new judges is successful and continues to be a priority.

Juvenile Courts. Judge Nash expressed appreciation to Chief Justice Fletcher for appointing Justice Hines as chair of the Supreme Court Child Placement Project. Under Justice Hines' leadership the program continues to make improvements in the lives of deprived children. Judge Nash also recognized Judge McDonald of Athens, president-elect of the council, and a new member of the Judicial Council.

The juvenile court judges are conducting a fiscal impact study re the possibility of bringing all 17-year-olds under their jurisdiction. Their council supports this change in concept, though it would present enormous challenges. They are also looking further into the problems that arise from charging children who commit serious crimes as adults. In addition they hope the state can achieve full compliance with federal guidelines regarding handling deprivation cases.

At the request of the council, the YLS of the State Bar is undertaking a rewrite of the Juvenile Code. Judge Nash noted that many of these changes will affect other courts. As part of the federal 0-3 years project, Georgia's juvenile courts will be giving greater attention to the needs of infants in the custody of the juvenile court. These babies, often born alcohol or drug-dependent, are brought to court as early as two-days-old.

They are seeking funding to promote four visits per month between parents and their children in foster care. The council continues discussions with Judge Christian and others re greater cooperation on cross-jurisdictional issues. Judge Nash noted that assistance from the Chief Justice and Mr. Ratley is need for all the foregoing. He would especially like to see creation of a standing committee to discuss these cross-jurisdictional issues and to promote information-sharing between courts

Probate Judges. Judge Tate noted that the Judicial Election Campaign Seminar had been helpful to probate judges. They are still seeking a Constitutional Amendment to allow nonpartisan election of probate judges. The Guardianship Code Revision was passed by the General Assembly. Judge Propst will be rewriting the Probate Judges Handbook to reflect the changes. HB 1EX does affect the probate courts and they have been meeting with representatives of the Clerks Cooperative Authority to discuss

problems and solutions. They are strengthening their continuing education efforts by providing scholarships for out-of-state training opportunities.

Magistrate Courts. Judge Day stated that magistrates, too, are struggling to assess the impact of HB 1EX on their courts. Their work with the legislature this year was not successful. The measure creating a retirement system for magistrates as well as one seeking nonpartisan elections of magistrates died in committee. They have no plans to give up on these endeavors and will be back next year. Judge Day stated that this was his last meeting as a council member; he has enjoyed the opportunity to serve.

Municipal Courts. Judge Coolidge stated that the new fees require new procedures in their courts as well and municipal court clerks especially need assistance in implementation. It is the clerks who must collect the fees and the burden falls upon them. He asked for support from other judges groups on this issue. Municipal courts must also adhere to the standards regarding allowable caseloads for indigent defense by contract attorneys. Their council voted to develop a model municipal ordinance which would incorporate the standards. They hope to have something by January 2005 that would be specific as to how programs should operate. The Public Defender Standards Council is assisting them. In closing, Judge Coolidge thanked the AOC for its continuing support of the work of the municipal court judges council.

Chief Justice Fletcher noted that written reports, submitted by the Board of Court Reporting and the County and Municipal Probation Advisory Council, were provided for information in the agenda notebook.

Old/New Business

The Chief Justice stated that he knew of no old business to consider at this time. As to new business, he noted that the memo regarding the contract with UGA found in the agenda is for information only. No action is required at this time.

- Standard Code and Statute Table Proposal. Mr. Neuren began with a quote: *you can't manage what you can't measure, and you can't measure what you can't describe*. He noted that the criminal justice system of our state does not currently have a uniform, standard statute table for use in arrests, charging, prosecution, adjudication and recording dispositions. Disparate statute tables are used by offices of the district attorney, police, courts and state agencies such as GCIC and DMVS. Lack of uniformity leads to difficulties in reporting statistics and in the overall reliability of the figures. Mr. Neuren stated that AOC technology staff has made use of a computerized standard code table for some time and would like to initiate discussions with other groups to develop and promote use of a single standard statute table throughout the criminal justice system. They are requesting creation of a Judicial Council Standard Code and Statute Committee to undertake this task. In closing Mr. Neuren noted that “what gets measured gets results.”

Judge Nash moved for appointment of a Standards Committee as proposed. Judge Bracewell seconded. The motion carried.

- Court Fee Committee. Ms. Nesbit stated that a committee to assist with implementation of HB 1EX and to review yearly reports from the Clerks Authority to the Chief Justice seems advisable at this time. If judges from all classes of court were meeting regarding implementation of the fee bill there could

be full discussion of problems and solutions as they arise. The new statute requires the chief superior court judge of each circuit to ensure that all courts in that circuit are in compliance with the fee collection requirements.

Judge Salter stated that he believes such a proposal has merit. He moved for creation of a Judicial Council Court Fee Committee to include representatives of the municipal courts. Judge Day seconded.

Chief Justice Fletcher asked for any discussion. Judge Cato stated that court clerks should be included as members of the committee since the main burden of collecting fees falls to them. Judge Salter accepted this as part of his motion. Judge Carriere stated that it is the clerks of court who will be most closely involved with collecting the fees and surcharges. Judge Day also accepted the amendment to the motion to include clerk members. The motion carried.

- Standing Committee on Drug Courts. Ms. Nesbit noted the growth of the drug court movement which has now expanded to include DUI courts and mental health courts. She proposed that the scope of the current advisory committee be broadened to include other alternative sentencing courts. Justice Benham, chair of the drug court advisory committee, would be asked to chair the new, larger committee. Ms. Nesbit noted that any future state funding for alternative sentencing courts could be administered by this committee.

Chief Justice Fletcher stated that he envisions the committee as being composed of judge members with district court administrators as advisory members.

Judge Kreeger moved to create the Standing Committee on Drug Courts. Judge Nash seconded.

Chief Justice Fletcher stated that his plan is for Justice Benham to continue as chair; he will name five superior court judges, two state court judges and two juvenile court judges to the committee. Chief Justice Fletcher read the names of individuals whom he would ask to serve: Judges Bass, Downs, Williams, Girardeau and Kreeger (superior courts); Judges Lawrence and Little (state courts); Judges Tom Matthews and Billy Waters (juvenile courts); DCA advisory members: Danny DeLoach, Nolan Martin, Cathy McCumber and Jody Overcash.

The Chief Justice called for a vote. The motion carried with one opposed.

- Standing Committee on Policy in Legislative Matters. Ms. Nesbit stated that during the legislative session, staff could often use input and guidance from the Judicial Council regarding positions on amendments, new proposals, etc. The Policy Committee of the Judicial Council has performed this function at times. Ms. Nesbit stated that if the committee could meet this summer to discuss putting in place a more formal procedural structure, a report and recommendation could be made to the full Council at the August meeting. She noted that the Policy Committee is chaired by the Presiding Justice, and is made up of the Chief Judge of the Court of Appeals, the president-elect of the Council of Superior Court Judges, and the presidents of the state, juvenile, probate and magistrate court councils.

Chief Justice Fletcher stated that the idea is to develop procedures that would be agreeable to all. Judge Nash asked whether such a committee would be a proper forum for airing out differences. Judge Carriere asked what the mission would be, since it is difficult to give guidance when all judges are not of one mind. Judge Cato

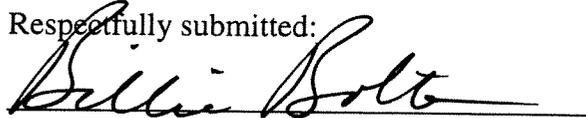
suggested polling Council members by e-mail during the session if necessary. Chief Justice Fletcher stated the issue will be referred to the Policy Committee.

Concluding Remarks

Chief Justice Fletcher presented certificates to those members whose terms on the Council will end before the August meeting: Judges Sorrells, Kreeger, Bishop, Culpepper and Day. The next meeting of the Judicial Council will be held on August 20, 2004 at the Wyndham Hotel in Atlanta.

The meeting was adjourned at 11:55 a.m.

Respectfully submitted:



Billie Bolton, Assistant Director

The above and fore-going minutes were approved at the meeting held on _____ day of _____, 200_.

Judicial Council of Georgia

Wyndham Atlanta Hotel

Atlanta, GA

August 20, 2004

NEW JUDICIAL COUNCIL MEMBERS WHO HAVE JOINED SINCE THE JUNE 16, 2004 MEETING

1. Judge Melinda Anderson, President-Elect, Council of Magistrate Court Judges
2. Judge George F. Nunn, Jr., Administrative Judge, 3rd Judicial Administrative District
3. Judge John M. Ott, Administrative Judge, 10th Judicial Administrative District
4. Judge Hugh W. Stone, Administrative Judge, 9th Judicial Administrative District
5. Judge Jon B. Wood, Administrative Judge, 7th Judicial Administrative District

JUDICIAL COUNCIL OF GEORGIA

Chief Justice Norman S. Fletcher
Chairperson
Supreme Court of Georgia
507 State Judicial Building
Atlanta, GA 30334
404-656-3477/FAX 657-4211

Presiding Justice Leah Ward Sears
Vice Chairperson
Supreme Court of Georgia
501 State Judicial Building
Atlanta, GA 30334
404-656-3474/FAX 657-6997

Judge Melinda Anderson
Magistrate Court of Liberty County
P. O. Box 912
Hinesville, GA 31310-0912
912-368-2063/FAX 876-2474

Judge Mike Bracewell
Probate Court of Morgan County
P. O. Box 857
Madison, GA 30650-0857
706-343-6500/FAX 343-6465

Judge Edward E. Carriere, Jr.
State Court of DeKalb County
DeKalb County Courthouse
556 N. McDonough St., Suite 3240
Decatur, GA 30030
404-687-7130/FAX 687-7156

Judge A. Wallace Cato
Superior Courts
South Georgia Judicial Circuit
P. O. Box 65
Bainbridge, GA 39818-0065
229-246-1111/FAX 246-5265

Judge Daniel M. Coursey, Jr.
Superior Court
Stone Mountain Judicial Circuit
900 DeKalb County Courthouse
556 N. McDonough Street
Decatur, GA 30030
404-371-4710/FAX 371-2993

Judge William H. Craig
Superior Court
Flint Judicial Circuit
Henry County Courthouse
1 Courthouse Square, 2nd Floor
McDonough, GA 30253-3293
770-954-2107/FAX 954-2083

Judge Doris L. Downs
Superior Court
Atlanta Judicial Circuit
T-7955 Justice Center Tower
185 Central Avenue, S. W.
Atlanta, GA 30303
404-730-4991/FAX 335-2828

Judge H. Gibbs Flanders, Jr.
Superior Courts
Dublin Judicial Circuit
P. O. Box 2100
Dublin, GA 31040-2100
478-272-0061/FAX 275-9180

Judge Linda Warren Hunter
Superior Court
Stone Mountain Judicial Circuit
505 DeKalb County Courthouse
556 N. McDonough Street
Decatur, GA 30030
404-371-2525/FAX 371-4754

Judge James E. McDonald, Jr.
Juvenile Court of the
Western Judicial Circuit
325 E. Washington Street, Room 115
Athens, GA 30601
706-613-3300/FAX 613-3306

Judge Robin S. Nash
Juvenile Court of the
Stone Mountain Judicial Circuit
3631 Camp Circle
Decatur, GA 30032
404-294-2753/FAX 294-2956

Judge George F. Nunn, Jr.
Superior Court
Houston Judicial Circuit
201 North Perry Parkway
Perry, GA 30169
478-218-4840/FAX 218-4845

Judge John M. Ott
Superior Courts
Alcovy Judicial Circuit
1132 Usher Street, N. W., Room 220
Covington, GA 30014
770-784-2080/FAX 784-2130

Judge F. Gates Peed
Superior Courts
Ogeechee Judicial Circuit
P. O. Box 967
Statesboro, GA 30459
912-764-6095/FAX 489-3148

Presiding Judge John H. Ruffin, Jr.
Court of Appeals of Georgia
334 State Judicial Building
Atlanta, GA 30334
404-656-3458/FAX 651-8139

Judge John F. Salter, Sr.
State Court of Dougherty County
P. O. Box 1827
Albany, GA 31702-1827
229-431-2152/FAX 431-3282

Chief Judge J. D. Smith
Court of Appeals of Georgia
334 State Judicial Building
Atlanta, GA 30334
404-656-3453/FAX 651-8139

Judge Hugh W. Stone
Superior Courts
Enotah Judicial Circuit
114 Courthouse Street, Box 2
Blairsville, GA 30512
706-439-6100/FAX 439-6099

Judge Susan P. Tate
Probate Court of Clarke County
325 E. East Washington Street, Room 215
Athens, GA 30601
706-613-3320/FAX 613-3323

Judge Haynes Henton Townsend
Magistrate Court of Whitfield County
210 N. Thornton Avenue
P. O. Box 386
Dalton, GA 30720-4272
706-278-5052/FAX 278-8810

Judge Phillip R. West
Superior Courts
Oconee Judicial Circuit
P. O. Box 1058
Eastman, GA 31023-1058
478-374-7731/FAX 374-0344

Judge Jon B. Wood
Superior Courts
Lookout Mountain Judicial Circuit
P. O. Box 1185
LaFayette, GA 30728-1185
706-638-1650/FAX 638-1654

Judicial Council Policy for Judgeship and Circuit Boundary Studies

Initiation

Recommendations to the governor and the General Assembly for judicial personnel allocations for the superior courts shall be made annually prior to the beginning of the regular session of the General Assembly. Studies by the Administrative Office of the Courts of the need for judgeships or of the need for changes in circuit boundaries may be authorized by the Judicial Council upon the request of the governor, members of the General Assembly, or by a judge of the county or counties affected. Such requests shall be submitted in writing by June 1, prior to the session of the General Assembly during which the judgeship or change in circuit boundaries is sought. Any judge who intends to make a request for a study must notify the Judicial Council of any special circumstances or data of the courts involved in the request by June 1 so that these special circumstances may be investigated during the studies conducted by the Administrative Office of the Courts. (Rev. 8/25/2000)

Purpose

The Judicial Council seeks to achieve a balanced and equitable distribution of caseload among the judges of the state to promote speedy and just dispositions of citizens' cases. The Judicial Council recognizes that the addition of a judgeship is a matter of great gravity and substantial expense to the counties and the state and should be approached through careful inquiry and deliberate study before action is taken. (10/27/1981)

Policy Statements

The Judicial Council will recommend the creation of additional judgeships or changes in circuit boundaries based only upon needs demonstrated through comparative, objective studies. The Judicial Council will not recommend the addition of a judgeship not requested by the circuit under study unless there is clear and convincing evidence that an additional judgeship is needed. (10/27/1981)

As a matter of policy, the Judicial Council recommends that no new part-time judgeship be created. (10/27/1981)

Because of the advantages of multi-judge circuits, the Judicial Council generally will not recommend the creation of additional circuits. (10/27/1981)

Judgeships

1. Part-time judgeships

As a general rule, part-time judgeships are not an effective method of handling judicial workload. The disadvantages of part-time judgeships are many; a few specific ones are:

a. The cost of training a part-time judge is the same as that of training a full-time judge, but the benefits to the state or local government of training a part-time judge are only a fraction of those realized by training a full-time judge, since a part-time judge will hear only a fraction of the cases heard by a full-time judge receiving the same training. (10/27/1981)

Additionally, part-time judges are generally not paid for the time they spend in continuing education. This creates a financial disincentive for

part-time judges to attend continuing education, whom might ordinarily spend time practicing law or conducting law or conducting other business. (10/27/1981)

b. Conflicts of interest often arise in professional relationships for part-time judges. It is often difficult for other attorneys to litigate against an attorney and have to appear before the same attorney, sitting as judge, the next day. (10/27/1981)

Additionally, cases in which part-time judges are disqualified usually arise in their own court, thus eliminating a large potential portion of their law practice. (10/27/1981)

2. Promotion of Multi-Judge Circuits

Multi-judge courts are more effective organizations for administrative purposes. Some specific advantages of multi-judge courts are:

a. Accommodation of judicial absences. Multi-judge circuits allow better management in the absence of a judge from the circuit due to illness, disqualification, vacation, and the demands of other responsibilities such as continuing legal education. (10/27/1981)

b. More efficient use of jurors. Better use of jury manpower can be effected when two judges hold court simultaneously in the same county. One judge in a multi-judge circuit may use the other judge's excess jurors for a trial of a second case rather than excusing them at an added expense to the county. Present courtroom space in most counties may not permit two trials simultaneously; but such a practice, if implemented, may justify the building of a second smaller courtroom by the county affected, or the making of other arrangements. (10/27/1981)

c. Accommodation of problems of impartiality or disqualification. A larger circuit with additional judges may permit hometown cases where acquaintances are involved to be considered by an out-of-town judge without the appearance that the local judge is avoiding responsibility. (10/27/1981)

d. Improves court administration. Multi-judge circuits tend to promote impartiality and uniformity of administrative practices and procedures by making court administration something more than the extension of a single judge's personality. Multi-judge circuits also permit economies in the deployment of auxiliary court personnel. (10/27/1981)

e. Expedites handling of cases. Probably most important of all, under the arithmetic of calendar management, the judges of a multi-judge court can handle substantially more cases than an equal number of judges operating in separate courts. (10/27/1981)

Besides the advantage of improved efficiency to be realized through the use of multi-judge circuits, there are also a number of other reasons as to why this approach should be taken. Under the existing law, a new judgeship may be created without the addition of another elected district attorney, although an assistant district attorney is added. However, when the circuit is divided and a new circuit thereby created, another elected district attorney is needed. (10/27/1981)

A second reason supporting the use of multi-judge circuits is that upon division of an existing

circuit into two new ones, one new circuit may grow disproportionately to the other, or population or other factors suggesting division may diminish, thus negating the factors which initially led to the division and compounding future problems of adjustment. (10/27/1981)

Methodology

1. Criteria for Superior Court Judgeship Requests

In establishing the need for additional superior court judgeships, the Judicial Council will consider weighted caseloads per judge for each circuit. If the per judge weighted caseload meets the threshold standards established by the Council for consideration of an additional judgeship, additional criteria will be considered. The threshold standard is one whole judge year value for the circuit under consideration. For example, to be considered for a single judgeship recommendation, a circuit that has 2 judges must have a weighted caseload of at least 3. (Rev. 12/8/2000)

Additional criteria considered may include, but are not limited to the following, and are not necessarily in the order of importance as listed below:

- a. Filings per judge
- b. Growth rate of filings per judge
- c. Open cases per judge
- d. Case backlog per judge
- e. Population served per judge
- f. Population growth
- g. Number and types of supporting courts
- h. Availability and use of senior judge assistance
- i. Number of resident attorneys per judge
- j. Responses to letters to legislators, county commissioners, presidents of local bar associations, district attorneys, and clerks of superior court asking for their input. (8/25/2000)

2. Criteria for Studying Requests to Alter Circuit Boundaries

The criteria used by the Judicial Council in reviewing proposals to alter circuit boundaries will include the following criteria:

a. Weighted Caseload per Judge - After the proposed change in circuit boundaries, caseload should be more evenly distributed. In addition, a proposed circuit's workload should not vary significantly from the statewide average weighted caseload per judge. (10/27/1981)

b. Caseload Growth Trends - Caseload growth trends should be examined so that an imbalance in growth rates when a circuit boundary is changed will not necessitate a reallocation of manpower or alteration of circuit boundaries again in the near future. Such continual shifts in circuit boundaries or manpower could be very unsettling and, thereby, significantly reduce judicial efficiency. (10/27/1981)

If a reliable caseload projection method is available, this technique will be used to determine future case filings; if one is not available, caseload growth rates, increases in the number of attorneys per capita and population projections will be analyzed. The population per judge should be evenly divided among the geographical areas affected by the proposed circuit boundary change if a recommendation is to be made.

Judicial Council Policy for Judgeship and Circuit Boundary Studies

Secondly, population projections should be examined to insure that disparate population growth rates will not create a great imbalance in the population to be served by each judge within a short period of time from the date of the alteration of the circuit boundaries. Lastly, the population per judge of the altered circuit should not be substantially different from the statewide average population per judge. (10/27/1981)

c. Changes in Judicial Travel Time – Travel time diminish total judicial time available for case processing; therefore, travel time should not be significantly increased for judges in circuits affected by a change in circuit boundaries before such a change should be recommended. Terms of court in and the number of times each county was visited on case-related business by the judges should be determined and these trips should be translated into travel time by using official distances between courthouses and road conditions determined by the Georgia Department of Public Safety. (10/27/1981)

d. Projected Changes in Cost to State and Local Government - Cost savings or additional expenditures required of local and state governing authorities should be determined. Changes in cost for personnel, facilities, and travel should be considered. A recommendation for change should not be made unless additional expenditures required are minimal or balanced by equivalent cost savings. (10/27/1981)

e. Characteristics of populace in areas of circuits sought to be separated, such as rural or urban. (12/11/1981)

f. Operational policies of circuit as presently constituted as might involve inattention to smaller counties in circuit. (12/11/1981)

g. Whether creation of new circuit would obviate necessity of one or two additional judges in parent circuit. (12/11/1981)

h. Travel and other expenses incident to serving smaller counties. (12/11/1981)

i. Alleviation of case assignment problems in larger counties of circuit. (12/11/1981)

j. Population growth of counties of circuit which would reflect need for new circuit. (12/11/1981)

k. Comparison population per judge in new circuit with standards approved by Judicial Council in recent years. (12/11/1981)

l. The Judicial Council will presume that a multi-judge circuit is preferred over a single-judge circuit. (12/11/1981)

m. If a county is to be split off from the circuit of which it is a part, the possibilities of adding that county to another circuit should be exhausted prior to the council's recommending a single-judge circuit. (12/11/1981)

Judicial Council Deliberations

1. Testimony

Judges, legislators, and others deemed appropriate by the chairman shall be invited to make written remarks or present data regarding the need for judgeships or to alter circuit boundaries. Any special circumstance or data of a circuit for which a request is to be made must be brought to the attention of the Judicial Council by a judge of the requesting circuit by June 1 of the year prior to the year of the legislative session

during which the judgeship or change in circuit boundaries will be considered.

The written testimony of the judges, legislators and other persons shall be reviewed and considered by the Judicial Council in their deliberations regarding judicial manpower. Oral arguments will not be made. (6/6/1984)

2. Final Deliberations

After all written presentations, the Judicial Council and key Administrative Office of the Courts staff, in open session, will discuss the merits of each request. (6/6/1984)

3. Staff Presentations

The Administrative Office of the Courts will present data evaluating the need to add judgeships or to alter circuit boundaries based on council approved criteria and will make staff recommendations. (10/27/1981)

4. Vote

After final deliberations, the Council will, in open session, approve or disapprove recommended changes in judicial manpower allocations. Votes on such motions shall be by secret written ballot. A two-thirds vote of the council membership present at the session will be required to override an unfavorable recommendation based on the criteria contained in these by-laws (policy).

After determining those circuits in which the council recommends an additional judgeship, the council will rank the recommendations based on need. (6/6/1984)

5. Length of Recommendations

Upon a recommendation of an additional judgeship or to alter circuit boundaries for a judicial circuit by the council, the recommendation shall remain approved by the council for a period of three years, unless the caseload of that circuit changes by plus or minus ten percent. (Rev. 12/13/1996)

6. Disqualifications

Any council member in a circuit or county affected by a council recommendation shall be eligible to vote by secret ballot on motions affecting that circuit, but shall not be present or participate in the council's final deliberations regarding his or her circuit. (Rev. 6/6/1984)

Dissemination of Recommendations

1. Study of the Need for Additional Superior Court Judgeships

The Administrative Office of the Courts shall prepare a report, including data required by the council for their deliberations and council policy statement, on the Judicial Council's recommendations as to the need for additional superior court judgeships. Such report shall be distributed to the governor, members of the judiciary and special judiciary committees of the Senate and House, all superior court judges and other interested parties approved by the director of the Administrative Office of the Courts. Additionally, the Administrative Office of the Courts shall prepare and distribute a press release summarizing the council's recommendations. (10/27/1981)

2. Special Studies of Judicial Manpower, Including Alteration of Circuit Boundaries

a. The Administrative Office of the Courts shall prepare reports on the Judicial Council's recommendations for special studies, including reports on requests to alter circuit boundaries and for judgeships of courts other than the superior court and shall distribute them to the requestor and, in the discretion of the director, to other interested parties. (10/27/1981)

b. In preparing special reports, written remarks of judges, legislators, and others deemed appropriate by the chairperson shall be solicited by the Administrative Office of the Courts and considered by the Judicial Council. (12/11/1986)

Superior Court Circuit Judgeship Timeline: 1989 - 2004

Circuit	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Alapaha	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Alcovy (created 1972)	2	2	2	2	2	2	3	3	3	3	3	3	3	4	4	4
Appalachian (created 1983)	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Atlanta	13*	14*	15*	15*	15*	15*	15	15	15	17	17	18	18	19	19	19
Atlantic	4*	4*	4*	4*	4*	4*	4	4	4	4	4	4	4	4	4	4
Augusta	5	6*	6*	6*	6*	6*	7	7	7	7	7	7	7	8	8	8
Bell-Forsyth (created 1998)										1	1	2	2	2	2	2
Blue Ridge	2	2	3	3	3	3	3	3	3	2	2	2	2	2	2	2
Brunswick	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Chattahoochee	5*	5*	5*	5*	5*	5*	5	5	5	5	5	6	6	6	6	6
Cherokee	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Clayton	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4
Cobb	7	7	7	7	7	7	8	8	8	8	8	9	9	9	9	9
Conasauga	3	3	3	3	3	3	4	4	4	4	4	4	4	4	4	4
Cordele	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Coweta	3	4*	4*	4*	4*	4*	5	5	5	5	5	5	5	5	5	5
Dougherty	2	2	2	3*	3*	3*	3	3	3	3	3	3	3	3	3	3
Douglas (created 1983)	2	2	2	2	2	2	2	2	2	3	3	3	3	3	3	3
Dublin	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Eastern	4	5*	6*	6*	6*	6*	6	6	6	6	6	6	6	6	6	6
Enotah (created 1992)				2	2	2	2	2	2	2	2	2	2	2	2	2
Flint	2	3*	3*	3*	3*	3*	3	3	3	3	2	2	2	2	2	2
Griffin	3	3	3	4*	4*	4*	4	4	4	4	4	4	4	4	4	4
Gwinnett	5	5	6	6	6	6	6	6	6	7	7	7	7	8	8	8
Houston (created 1971)	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Lookout Mountain	3	3	3	4	4	4	4	4	4	4	4	4	4	4	4	4
Macon	4	4	4	4	4	4	5	5	5	5	5	5	5	5	5	5
Middle	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Mountain	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Northeastern	3	3	3	3	3	3	3	3	3	3	4	4	4	4	4	4
Northern	2	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3
Ocmulgee	3	4*	4*	4*	4*	4*	4	4	4	5	5	5	5	5	5	5
Oconee	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Ogeechee	2	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3
Pataula	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Paulding (created 2002)														2	2	2
Piedmont	2	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3
Rockdale (created 1983)	1	1	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Rome	3	3	3	3	3	3	3	3	3	3	3	3	4	4	4	4
South Georgia	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Southern	4*	4*	4*	4*	4*	4*	4	4	4	4	4	4	4	4	4	4
Southwestern	2	2	2	2	2	2	2	2	2	2	2	3	3	3	3	3
Stone Mountain	9	9	9	9	9	9	9	9	9	10	10	10	10	10	10	10
Talapoosa	2	2	2	3	3	3	3	3	3	3	3	4	4	3	2	2
Tifton	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Toombs	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2	2
Towaliga (created 1999)											1	2	2	2	2	2
Waycross	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3	3
Western	2	2	2	2	2	2	3	3	3	3	3	3	3	3	3	3
Total	142	148	153	159	159	159	169	169	169	175	176	183	184	189	188	188

Circuits, Personnel, and Weighted Caseload

8/3/2004

Circuit	# of Counties	# of Superior Court Judge Positions Authorized	# of State Court Judge Authorized	# of Juvenile Court Judges and Associate Judges	# of Probate Court Judges hearing	CY 2003 Weighted Caseload
Alapaha	5	2	1	2	4	2.8711
Alcovy	2	4	0	4	2	5.0361
Appalachian	3	2	0	5	3	3.3333
Atlanta	1	19	9	8	0	18.8125
Atlantic	6	4	6	3	0	3.6266
Augusta	3	8	4	4	1	6.8947
Bell-Forsyth	1	2	1	2	0	1.8772
Blue Ridge	1	2	2	2	0	2.5532
Brunswick	5	4	4	6	1	4.9301
Chattahoochee	6	6	2	2	5	6.0391
Cherokee	2	3	0	2	2	5.2876
Clayton	1	4	4	3	0	4.5842
Cobb	1	9	10	4	0	10.2294
Conasauga	2	4	0	1	2	3.3163
Cordele	4	2	0	1	4	2.8180
Coweta	5	5	3	4	2	6.2709
Dougherty	1	3	1	2	0	3.1107
Douglas	1	3	1	3	0	3.6300
Dublin	4	2	1	2	3	3.2325
Eastern	1	6	2	2	0	3.8474
Enotah	4	2	0	2	4	2.8080
Flint	1	2	1	2	0	4.2978
Griffin	4	4	2	2	2	4.6946
Gwinnett	1	8	5	5	0	10.4929
Houston	1	2	1	1	0	2.7822
Lookout Mountain	4	4	2	4	2	3.3650
Macon	3	5	1	3	2	5.4609
Middle	5	2	5	2	0	2.4882
Mountain	3	2	2	0	1	2.4796
Northeastern	2	4	2	2	1	4.0482
Northern	5	3	1	2	4	3.4914
Ocmulgee	8	5	2	1	6	5.0007
Oconee	6	2	0	2	6	2.7124
Ogeechee	4	3	4	0	0	2.7263
Pataula	7	2	2	2	5	1.9452
Paulding	1	2	0	2	1	2.1034
Piedmont	3	3	1	1	2	2.1784
Rockdale	1	2	1	1	0	1.7311
Rome	1	4	0	2	1	4.8163
South Georgia	5	2	3	2	2	1.6860
Southern	5	4	4	4	1	6.8786
Southwestern	6	3	1	1	5	2.8770
Stone Mountain	1	10	6	4	0	9.9026
Tallapoosa	2	2	0	3	2	2.3793
Tifton	4	2	3	2	2	2.5258
Toombs	6	2	0	1	6	1.9847
Towaliga	3	2	0	1	3	2.5122
Waycross	6	3	4	2	2	4.1250
Western	2	3	1	3	1	3.3341
Totals:	159	188	105	121	90	

CY 2003 Criminal Filings by Rank and Five-Year Percentage change Per Judge

8/3/2004

Circuit	Total Criminal Filings	Rank	% Change CY '1999 - 2003	Felony Dockets	Misdemeanor Dockets	Probation Revocation	Unified Appeals
Alapaha	1,117	3	-0.40%	607	380	131	0
Alcovy	820	16	0.06%	328	275	218	0
Appalachian	1,194	1	0.25%	442	465	288	0
Atlanta	921	9	-0.05%	733	0	187	0
Atlantic	457	45	0.79%	358	12	87	0
Augusta	449	47	-0.21%	369	80	0	0
Bell-Forsyth	366	49	0.22%	204	57	105	0
Blue Ridge	891	10	0.34%	515	110	264	3
Brunswick	639	34	-0.21%	526	50	62	1
Chattahoochee	470	44	0.09%	281	95	94	0
Cherokee	1,251	4	0.65%	444	360	446	1
Clayton	749	21	-0.01%	532	15	203	0
Cobb	1,038	27	0.34%	677	12	350	0
Conasauga	585	38	-0.31%	304	231	50	0
Cordele	809	18	-0.09%	402	204	204	0
Coweta	718	23	0.13%	543	76	100	0
Dougherty	923	8	0.08%	489	16	418	0
Douglas	716	25	-0.39%	534	34	147	0
Dublin	972	5	0.07%	477	341	155	0
Eastern	679	30	0.11%	418	17	244	0
Enotah	925	7	0.20%	357	415	152	1
Flint	737	22	0.39%	562	25	149	2
Griffin	788	19	-0.02%	525	94	169	0
Gwinnett	649	32	0.26%	418	5	226	0
Houston	927	6	-0.12%	549	147	231	0
Lookout Mountain	545	42	-0.21%	309	180	56	0
Macon	813	17	0.15%	416	29	367	0
Middle	552	41	0.09%	479	9	64	0
Mountain	715	26	-0.08%	360	182	174	0
Northeastern	792	20	0.09%	467	126	199	1
Northern	683	29	0.01%	339	123	222	0
Ocmulgee	850	14	-0.08%	376	213	261	0
Oconee	867	12	-0.01%	467	241	160	0
Ogeechee	579	36	0.18%	429	5	145	0
Pataula	720	24	0.09%	334	254	132	0
Paulding	659	31	-0.10%	291	337	31	1
Piedmont	821	15	0.18%	368	371	82	0
Rockdale	484	43	-0.21%	322	0	162	0
Rome	1,139	2	0.34%	397	466	276	0
South Georgia	556	40	0.11%	383	39	135	0
Southern	872	11	-0.04%	627	25	221	0
Southwestern	648	33	-0.01%	287	216	145	0
Stone Mountain	684	28	-0.27%	459	0	226	0
Tallapoosa	591	48	-0.21%	373	180	39	0
Tifton	448	46	-0.12%	304	14	130	0
Toombs	618	35	-0.15%	223	287	108	0
Towaliga	569	37	-0.04%	374	178	17	0
Waycross	584	39	-0.13%	487	75	22	0
Western	856	13	0.24%	467	122	267	0
Mean:	752			462	110	180	0

CY 2003 Circuit and Civil Filings by Rank and 5-Year Percentage Change per Judge

8/3/2004

Circuit	Total Circuit Filings Including Probation Revocations	Rank	% Change CY 1999 - 2003	Total Civil Filings	Rank	% Change CY 1999 - 2003	8/3/2004	
							General Civil	Domestic Relations
Alapaha	2,211	10	-0.27 %	1,094	31	-0.07%	434	660
Alcovy	2,306	8	0.19 %	1,486	7	0.28%	709	777
Appalachian	2,591	2	0.33 %	1,397	5	0.42%	785	612
Atlanta	1,738	49	0.05 %	818	49	0.19%	209	608
Atlantic	1,300	45	0.16 %	843	39	-0.02%	293	550
Augusta	1,561	36	-0.06 %	1,112	29	0.02%	349	763
Bell-Forsyth	1,664	31	0.61 %	1,298	14	0.76%	527	771
Blue Ridge	2,364	4	0.28 %	1,473	3	0.25%	375	1,098
Brunswick	1,765	28	0.07 %	1,126	27	0.34%	367	759
Chattahoochee	1,827	26	0.15 %	1,357	12	0.17%	446	911
Cherokee	3,213	6	0.44 %	1,962	8	0.34%	1,074	888
Clayton	2,153	3	0.08 %	1,404	2	0.14%	133	1,271
Cobb	2,134	41	0.11 %	1,096	43	-0.04%	204	892
Conasauga	1,518	37	-0.19 %	933	36	-0.08%	388	545
Cordele	2,168	12	-0.07 %	1,359	11	-0.05%	508	852
Coweta	2,189	14	0.14 %	1,471	9	0.15%	493	978
Dougherty	1,879	24	0.04 %	957	34	0.01%	337	619
Douglas	1,998	21	-0.15 %	1,282	15	0.10%	667	615
Dublin	2,520	11	0.07 %	1,548	19	0.07%	559	989
Eastern	1,135	47	-0.34 %	455	48	-0.59%	150	306
Enotah	2,204	13	0.26 %	1,280	18	0.31%	616	664
Flint	3,749	1	0.90 %	3,013	1	1.09%	1,101	1,912
Griffin	2,083	16	0.05 %	1,295	24	0.10%	430	865
Gwinnett	2,470	46	0.27 %	1,821	45	0.27%	489	1,332
Houston	2,583	5	0.09 %	1,656	4	0.25%	409	1,248
Lookout Mountain	1,563	34	-0.17 %	1,018	32	-0.15%	308	711
Macon	1,983	18	0.25 %	1,170	25	0.33%	424	746
Middle	1,790	29	0.23 %	1,238	17	0.30%	374	864
Mountain	1,922	33	0.08 %	1,207	37	0.19%	414	793
Northeastern	1,801	17	0.15 %	1,010	21	0.20%	406	603
Northern	1,777	30	0.06 %	1,094	30	0.09%	422	671
Ocmulgee	1,579	35	-0.15 %	728	44	-0.22%	301	427
Oconee	2,081	15	0.02 %	1,214	20	0.04%	444	770
Ogeechee	1,299	40	-0.35 %	796	38	-0.47%	303	602
Pataula	1,494	38	-0.09 %	774	42	-0.22%	390	385
Paulding	1,906	22	0.32 %	1,247	16	0.75%	642	605
Piedmont	1,388	43	-0.23 %	567	47	-0.48%	288	279
Rockdale	1,543	48	-0.08 %	1,060	46	-0.01%	326	734
Rome	2,342	9	0.46 %	1,203	22	0.59%	538	666
South Georgia	1,229	42	-0.24 %	831	41	-0.26%	334	497
Southern	2,539	7	0.02 %	1,666	6	0.05%	493	1,173
Southwestern	1,479	39	0.00 %	831	40	0.01%	392	439
Stone Mountain	1,889	25	-0.17 %	1,204	26	-0.09%	208	997
Tallapoosa	2,024	44	0.13 %	1,434	35	0.36%	766	668
Tifton	1,876	23	0.09 %	1,429	10	0.18%	473	956
Toombs	1,631	32	-0.16 %	1,013	33	-0.17%	323	690
Towaliga	1,837	27	0.09 %	1,269	23	0.16%	545	724
Waycross	1,938	20	0.05 %	1,354	13	0.15%	561	793
Western	1,974	19	0.27 %	1,118	28	0.30%	503	615
Mean:	1,920			1,171			398	774

Population

8/3/2004

**2003 U.S. Census Population
Per Superior Court Judge**

**2010 GA O.P.B. Projected
Population for Superior
Court Judge**

Circuit		Rank		Rank
Alapaha	27,327	45	26,026	45
Alcovy	36,381	34	49,157	15
Appalachian	37,056	32	45,571	19
Atlanta	43,070	19	43,178	27
Atlantic	35,170	36	35,709	37
Augusta	39,825	25	40,780	31
Bell-Forsyth	61,906	7	90,981	4
Blue Ridge	83,320	2	107,072	1
Brunswick	43,449	17	44,725	22
Chattahoochee	42,260	21	41,981	28
Cherokee	44,169	14	52,777	12
Clayton	64,934	6	77,080	6
Cobb	72,336	4	86,209	5
Conasauga	31,820	40	35,206	39
Cordele	29,773	43	30,519	43
Coweta	58,815	9	69,361	7
Dougherty	31,895	39	31,351	42
Douglas	34,005	37	39,745	32
Dublin	36,474	33	37,295	36
Eastern	39,212	27	38,775	33
Enotah	37,510	30	44,433	23
Flint	75,002	3	105,914	2
Griffin	50,589	10	57,568	11
Gwinnett	84,168	1	102,620	3
Houston	60,217	8	64,533	10
Lookout Mountain	40,750	23	44,962	21
Macon	38,232	29	38,448	34
Middle	48,079	13	46,962	17
Mountain	39,734	26	44,285	24
Northeastern	43,669	16	52,107	13
Northern	35,229	35	37,671	35
Ocmulgee	30,966	41	33,734	41
Oconee	33,874	38	33,797	40
Ogeechee	41,749	22	45,923	18
Pataula	25,990	46	25,947	46
Paulding	50,036	12	69,037	8
Piedmont	38,653	28	47,244	16
Rockdale	37,471	31	41,014	30
Rome	23,342	48	23,722	49
South Georgia	43,329	18	43,717	25
Southern	50,423	11	50,129	14
Southwestern	28,961	44	29,778	44
Stone Mountain	67,433	5	66,335	9
Tallapoosa	33,630	49	36,573	48
Tifton	40,501	24	41,428	29
Toombs	25,678	47	25,745	47
Towaliga	30,789	42	35,349	38
Waycross	42,315	20	43,369	26
Western	43,926	15	45,301	20
Mean:	46,195		36,170	

**2004 Circuit Judgeship Requests
by Rank, Weighted Caseload, and Population Per Judge**

Judicial Circuit	Final Rank on Factors 1-4 2003	Current Superior Court Judgeships	Factor 1			Factor 2					Factor 3				Factor 4			Total of Ranks	Judicial Circuit	
			Weighted Caseload in Minutes Per Judge	*Rank	Felony Rank	Misdem Rank	Probation Revocation Rank	General Civil Rank	Domestic Relations Rank	2003 Population Per Superior Court Judge	2010 Population Per Superior Court Judge	Rank	Rank	Rank	Rank	Rank	Rank			
Alapaha	10	2	2.87	9	607	4	380	2	131	10	434	8	660	9	27,327	10	26,026	11	63	Alapaha
Appalachian	6	2	3.33	5	442	10	465	1	288	3	765	3	612	10	37,056	8	45,571	8	48	Appalachian
Atlanta	11	19	18.81	11	733	1	0	11	187	7	209	10	608	11	43,070	7	43,178	9	67	Atlanta
Cherokee	3	3	5.28	4	444	9	360	3	446	1	1074	2	888	8	44,169	6	52,777	6	39	Cherokee
Cobb	8	9	10.22	8	677	2	12	9	350	2	204	11	892	7	7,233	11	86,209	3	53	Cobb
Coweta	7	5	6.27	6	543	7	76	6	100	11	493	5	978	6	58,815	4	69,361	4	49	Coweta
Dublin	9	2	3.23	7	477	8	341	4	155	8	559	4	989	5	36,474	9	37,295	10	55	Dublin
Flint	1	2	4.29	3	562	5	25	7	149	9	1101	1	1912	1	75,002	2	105,914	1	29	Flint
Gwinnett	4	8	10.49	2	418	11	5	10	226	5	489	7	1332	2	84,168	1	102,620	2	40	Gwinnett
Houston	5	2	2.78	10	549	6	147	5	231	4	409	9	1248	3	60,217	3	64,533	5	45	Houston
Southern	2	4	6.87	1	627	3	25	7	221	6	493	5	1173	4	50,423	5	50,129	7	38	Southern

*Based on the difference between Weighted Caseload in Minutes Per Judge and Current Superior Court Judgeships

VOTE ON JUDGESHIP REQUESTS

AUGUST 20, 2004

<u>CIRCUIT REQUESTING</u>	<u>APPROVE</u>	
	<u>YES</u>	<u>NO</u>
1. ALAPAHA (3 rd Judge)	_____	_____
2. APPALACHIAN (3 rd Judge)	_____	_____
3. ATLANTA (20th Judge)	_____	_____
4. COBB (10th Judge)	_____	_____
5. DUBLIN (3rd Judge)	_____	_____
6. HOUSTON (3rd Judge)	_____	_____
7. SOUTHERN (6 th Judge)	_____	_____

SAMPLE BALLOT

PRIORITY RANKING OF JUDGESHIP REQUESTS

AUGUST 20, 2004

(1 = HIGHEST; 13 = LOWEST)

<u>CIRCUIT REQUESTING</u>	<u>RANK</u>
1. ALAPAHA (3 rd Judge)	_____
2. APPALACHIAN (3 rd Judge)	_____
3. ATLANTA (20 th Judge)	_____
4. CHEROKEE (4 th Judge)	_____
5. COBB (10 th Judge)	_____
6. COWETA (6 th Judge)	_____
7. DUBLIN (3 rd Judge)	_____
8. FLINT (3 rd Judge)	_____
9. GWINNETT (9 th Judge)	_____
10. GWINNETT (10 th Judge)	_____
11. HOUSTON (3 rd Judge)	_____
12. SOUTHERN (5 th Judge)	_____
13. SOUTHERN (6 th Judge)	_____

SAMPLE BALLOT



Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

MEMORANDUM

TO: Each Member of the Judicial Council
FROM: Gregory W. Arnold
DATE: August 20, 2004
RE: **Alapaha Judicial Circuit Summary**
Third Judgeship Request Summary

Date Received	Authored by	Content
June 15, 2004	Chief Judge Brooks E. Blich III Alapaha Judicial Circuit Second Judicial District	Request for a study to assess the need of an additional judgeship.



Superior Courts
ALAPAHA JUDICIAL CIRCUIT
ATKINSON, BERRIEN, CLINCH, COOK AND LANIER COUNTIES

BROOKS E. BLITCH, III
Chief Judge
P.O. Box 335
Homerville, Georgia 31634
Phone (912) 487-2280
FAX (912) 487-3241

DANE PERKINS
Judge
P.O. Box 606
Nashville, Georgia 31639
Phone (912) 686-2180
FAX (912) 686-2180

Norman S. Fletcher
Chief Justice and Chairperson
The Judicial Council
Suite 300
244 Washington Street, S. W.
Atlanta, Georgia 30334-5900

June 7, 2004

H.W. LOTT
Senior Judge
P.O. Box 348
Lenox, Georgia 31637
Phone (912) 686-3153

W.D. KNIGHT
Senior Judge
P.O. Box 846
Nashville, Georgia 31639
Phone (912) 686-7400
FAX (912) 686-7546



Dear Chief Justice:

In reply to your letter of June 4th, I formally apply for an additional Superior Court Judge in the Alapaha Judicial Circuit. This is based upon case counts per sitting Judge, backlogs, and a recent letter from the Judicial Council, indirectly complaining of the use of some \$42,000 for appointed judges to help alleviate our growing problem.

Thank you.

Sincerely,

Brooks E. Blitch III
Chief Judge
Alapaha Judicial Circuit



Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

MEMORANDUM

TO: Each Member of the Judicial Council

FROM: Gregory W. Arnold 

DATE: August 20, 2004

RE: **Appalachian Judicial Circuit Summary**
Third Judgeship Request Summary

Date Received	Authored by	Content
June 14, 2004	Chief Judge Brenda S. Weaver Appalachian Judicial Circuit Ninth Judicial District	Request for a study to assess the need of an additional judgeship.
June 15, 2004	David Ralston, Representative District 6 House of Representatives	Letter of support.



BRENDA S. WEAVER
CHIEF JUDGE

SUPERIOR COURTS
APPALACHIAN JUDICIAL CIRCUIT
POST OFFICE BOX 545
JASPER, GEORGIA 30143

(706) 253-8729
FAX (706) 253-8734



PICKENS
GILMER
AND FANNIN COUNTIES

June 10, 2004

Honorable Norman S. Fletcher
Chief Justice of Supreme Court of Georgia
507 State Judicial Building
Atlanta, Georgia 30334



RE: Third Judgeship for the Appalachian Judicial Circuit

Dear Chief Justice Fletcher:

I have been informed by Mr. George B. Collins, III, District Court Administrator for the Ninth Judicial Administrative District, that his preliminary count of the caseload indicates that our circuit would qualify for a third judge.

As you know, our circuit consists of three counties and we currently have two Superior Court Judges. We do not have a state court in our circuit, therefore, we handle both felony and misdemeanor criminal cases, as well as civil cases.

Therefore, I am requesting that the Administrative Office of the Courts conduct a formal study to determine if an additional judgeship is needed in the Appalachian Judicial Circuit.

Sincerely,

Brenda S. Weaver
Chief Judge
Appalachian Judicial Circuit

BSW:ttg

cc: Mr. David L. Ratley



House of Representatives

DAVID RALSTON
REPRESENTATIVE, DISTRICT 6
POST OFFICE BOX 1196
BLUE RIDGE, GEORGIA 30513
(706) 632-2221 (O)
(404) 651-8086 (FAX)
E-MAIL: dralston@legis.state.ga.us

LEGISLATIVE OFFICE BUILDING, ROOM 404
ATLANTA, GEORGIA 30334
(404) 656-0109
June 14, 2004

STANDING
COMMITTEES:

JUDICIARY
INDUSTRIAL RELATIONS
STATE INSTITUTIONS & PROPERTY

Honorable Norman S. Fletcher, Chief Justice
Judicial Council of Georgia
Administrative Office of the Courts
244 Washington Street, SW, Suite 300
Atlanta, GA 30334-5900

VIA FACSIMILE: (404) 651-6449

Re: Additional Judgeship -
Appalachian Judicial Circuit

Dear Chief Justice Fletcher:

Please be advised that I am in receipt of your letter of June 4, 2004 regarding requests for additional judgeships.

I write to express my support, in the strongest of terms, for an additional superior court judgeship in the Appalachian Judicial Circuit.

Recently, I had an opportunity to review the data regarding caseloads in this circuit which had been compiled by the AOC. Not only does this data support an immediate need for a third judgeship, but the counties in this judicial circuit (Fannin, Gilmer and Pickens) are among the fastest-growing in the state.

We are all mindful of the costs associated with the creation of a new judgeship. However, the demands on the superior court in this circuit have truly reached serious proportions.

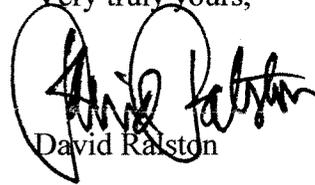
I have discussed and reviewed this request with both judges now serving on the superior court bench in the Appalachian Circuit. It is my understanding that both judges concur with these thoughts and fully support this request.

Honorable Norman S. Fletcher, Chief Justice
June 14, 2004
Page 2 of 2

It is my hope that this request will receive the most favorable consideration and that this request can move forward in expedited fashion during the 2005 session of the Georgia General Assembly.

Please do not hesitate to let me know if I may be of any assistance in this regard.

Very truly yours,



David Ralston

cc: Mr. David L. Ratley
VIA FACSIMILE: (404) 651-6449

Honorable Brenda S. Weaver, Chief Judge
Appalachian Judicial Circuit
VIA FACSIMILE: (706) 253-8734

Honorable Roger E. Bradley, Judge
Appalachian Judicial Circuit
VIA FACSIMILE: (706) 515-2028



Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

MEMORANDUM

TO: Each Member of the Judicial Council
FROM: Gregory W. Arnold 
DATE: August 20, 2004
RE: **Atlanta Judicial Circuit Summary**
Twentieth Judgeship Request Summary

Date Received	Authored by	Content
June 18, 2004	Bob Holmes, Representative District 48, Post 1 House of Representatives	Request for a study to assess the need of an additional judgeship.



House of Representatives

BOB HOLMES
REPRESENTATIVE, DISTRICT 48
POST 1
POST OFFICE BOX 110009
ATLANTA, GEORGIA 30311-0009
(404) 880-8089 (O)
(404) 755-9528 (H)
E-MAIL: bholmes.cau.edu

STATE CAPITOL, ROOM 226
ATLANTA, GEORGIA 30334
(404) 656-5115
(404) 656-6897 (FAX)

STANDING
COMMITTEES:

APPROPRIATIONS
EDUCATION, CHAIRMAN
RULES

June 15, 2004

David Ratley, Director
Administrative Office of the Courts
Suite 300
244 Washington Street, SW
Atlanta, GA 30334-5900

Dear David:

This letter is a request that your office conduct a study to determine whether an additional judgeship is needed in the Atlanta Judicial Circuit.

Thank you.

Sincerely,

Bob Holmes

BH/sk





Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

MEMORANDUM

TO: Each Member of the Judicial Council
FROM: Gregory W. Arnold 
DATE: August 20, 2004
RE: Cobb Judicial Circuit Summary
Tenth Judgeship Request Summary

Date Received	Authored by	Content
June 14, 2004	Rich Golick, Representatives District 34, Post 3 House of Representatives	Request for a study to assess the need of an additional judgeship.



House of Representatives

RICH GOLICK
REPRESENTATIVE
DISTRICT 34, POST 3
2372 SIMPSON FARM WAY
SMYRNA, GEORGIA 30080
(770) 319-7200 (O)
(770) 319-0970 (FAX)
E-MAIL: rgolick@legis.state.ga.us

STATE CAPITOL, ROOM 109
ATLANTA, GEORGIA 30334
(404) 651-7737 (O)
(404) 651-5795 (FAX)

ADMINISTRATION FLOOR LEADER

STANDING COMMITTEES:

INSURANCE
REGULATED BEVERAGES
STATE INSTITUTIONS & PROPERTY

June 11, 2004

Mr. David Ratley, Director
Administrative Office of the Courts
244 Washington Street SW
Suite 300
Atlanta, Georgia 30334-5900



Dear Mr. Ratley:

Pursuant to Chief Justice Norman Fletcher's June 4 correspondence, please let this correspondence serve as my request for your office to conduct the necessary empirical study in order to determine the necessity of an additional Superior Court judgeship for the Cobb Judicial Circuit.

As per the Chief Justice's correspondence, please understand that even if your objective, comparative study determines that an additional such judgeship is warranted, I will not proceed with any action without first consulting with our Board of Commissioners as well as the Chief Judge of the Superior Court of the Cobb Judicial Circuit.

Thank you for your attention to this matter.

Sincerely,


Rich Golick

cc: Honorable Sam Olens, Chairman, Cobb County Board of Commissioners
Mr. Skip Chesshire, Cobb County Superior Court Administrator



Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

MEMORANDUM

TO: Each Member of the Judicial Council

FROM: Gregory W. Arnold 

DATE: August 20, 2004

RE: **Dublin Judicial Circuit Summary**
Third Judgeship Request Summary

Date Received	Authored by	Content
March 15, 2004	Chief Judge H. Gibbs Flanders, Jr. Dublin Judicial Circuit Eighth Judicial District	Request for a study to assess the need of an additional judgeship.
July 28, 2004	Ray Bennett Chairperson Twiggs County Commissioners	Letter of support including budgetary issues regarding Indigent Defense.

Superior Courts
Dublin Judicial Circuit

LAURENS COUNTY COURTHOUSE
DUBLIN, GEORGIA 31021

H. GIBBS FLANDERS, JR., CHIEF JUDGE
P. O. BOX 2100
DUBLIN, GEORGIA 31040
TELEPHONE (478) 272-0061
FAX (478) 275-9180

J. STANLEY SMITH, JUDGE
P. O. BOX 2069
DUBLIN, GEORGIA 31040
TELEPHONE (478) 272-4131
FAX (478) 272-1639

March 11, 2004

Chief Justice Norman S. Fletcher
Chairman, Judicial Council of Georgia
Supreme Court of Georgia
507 State Judicial Building
Atlanta, Georgia 30334

Subject: Request for Study to Determine the Need for a Third Judge

Dear Chief Justice Fletcher:

On behalf of the Dublin Judicial Circuit I request that the Judicial Council conduct a study to determine the need for a third judge for the Dublin Judicial Circuit. Based upon preliminary review of case count in the four counties for 2003 it appears that the Dublin Circuit is eligible for consideration. The addition of a third judge will enable the Superior Court to remain current and responsive to the citizens of Georgia.

Thank you for considering this request for a need's study. If we can assist in providing further information, please contact me.

Sincerely yours,



H. Gibbs Flanders, Jr.

HGF

Pc: Judge J. Stanley Smith
Mr. David L. Ratley, Director, AOC
Chairman, Johnson County Board of Commissioners
Chairman, Laurens County Board of Commissioners
Chairman, Treutlen County Board of Commissioners
Chairman, Twiggs County Board of Commissioners



MEMBERS OF BOARD:
RAY BENNETT, Chairman
RICHARD PARKS, Vice-Chairman
M. OPAL CHANCE
WAYNE HUSTON
TOMMIE L. BRYANT

Board of Commissioners
Twiggs County
P.O. Box 202
Jeffersonville, Georgia 31044

GLENN BARTON, Administrator
FRANCES W. STEELE, Asst. Clerk
NEWTON G. MERCER, Purchasing Clerk

26 July 2004

David L. Ratley, Director
Judicial Council of Georgia
Administrative Office of the Courts
Suite 300
335 Washington Street, S.W.
Atlanta, GA 30334-5900

Dear Mr. Ratley,

I am writing regarding the consideration being given for the third Superior Court Judgeship for the Dublin Judicial Circuit.

I want to go on record as supporting the addition of the Judgeship for our Circuit. Judge Flanders and Judge Smith have ably performed their duties as the workload has increased. However, the study should make it clear that the ever-expanding workload cannot be adequately handled without an additional Judgeship.

I would also like to raise an issue related to the new Indigent Defense Board created and staffed by the state. The funding for the state's share of costs is being added to the fees collected by our judicial system. Twiggs County's pro-rated share for next year has been set at around \$40,000, which represents an unfunded mandate since there is no new revenue being collected to help pay for it from the County's point of view.

Our annual cost for Indigent Defense for the last couple of years has been \$30,000. I would like to request a review of how the state can help us with the \$10,000 shortfall with the understanding that the cost for 2005 was supposed to be capped at the levels being currently expended. We have cut our County's budget by 18% over the last two years as we weather a perfect financial storm caused by post 9/11, the decline of kaolin, and the decline of timber. This is not an idle issue, and we thank you in advance for any assistance you can provide.

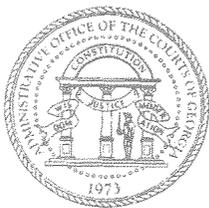
You can contact me on my cell at 478-256-3320 or my office at 478-945-3629 if you have any questions.

Sincerely,


Ray Bennett

Chairman
Twiggs County Commissioners





Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

MEMORANDUM

TO: Each Member of the Judicial Council

FROM: Gregory W. Arnold 

DATE: August 20, 2004

**RE: Houston Judicial Circuit Summary
Third Judgeship Request Summary**

Date Received	Authored by	Content
June 14, 2004	Chief Judge George F. Nunn, Jr. & Judge Edward D. Lukemire Houston Judicial Circuit Third Judicial District	Request for a study to assess the need of an additional judgeship.
June 30, 2004	Carolyn V. Sullivan, Clerk Houston Judicial Circuit Third Judicial District	Letter of support including population growth.
July 27, 2004	Larry O'Neal, Representative House of Representatives District 117	Letter of support including population growth, limited assistance of senior judge due to health, office tension due to amount of workload, excessive rate of case disposition, and presence of military base in circuit.



THE SUPERIOR COURT
HOUSTON JUDICIAL CIRCUIT

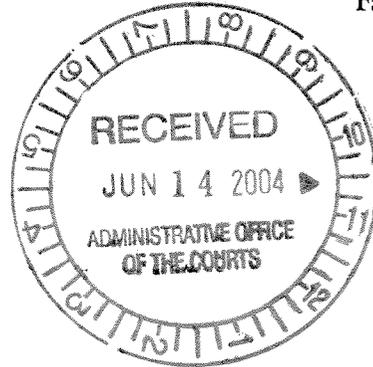
201 North Perry Parkway
Perry, Georgia 31069

Phone 478-218-4840
Fax 478-218-4845

Chambers of
Judge George F. Nunn, Jr.

June 9, 2004

Mr. Norman S. Fletcher
244 Washington Street, S.W.
Suite 300
Atlanta, GA 30334-5900



Dear Chief Justice Fletcher:

In response to your correspondence of June 4, 2004, please accept this as our request for an additional judgeship for the Houston Judicial Circuit. In making this request, we are not insensitive to the significant costs involved; for several years this concern has caused us to forego such a request. However, we believe our need for additional help now justifies and requires this request of the Council. Several circumstances have affected our decision. This Circuit (Houston County) continues to experience tremendous growth; our population is now around 125,000. The workload has naturally increased with the population. When the circuit last added a judge (1986) the caseload that year consisted of 1,741 civil and 329 criminal filings; over the last five years, we have averaged 2,866 civil and 1,255 criminal filings per year. Additionally, we are now in a new facility and have the courtroom and office space necessary to accommodate another judge. Although the additional office space is currently a "shell," the county commissioners have been made aware of our need and are willing to do what is necessary to finish construction on that space. For these and other reasons, we are asking that our circuit caseload be reviewed, with the hope that we will qualify, under existing criteria, for this much needed assistance.

Please let us know if any additional information is needed to begin this process.

Sincerely,

Judge George F. Nunn, Jr.

Judge Edward D. Lukemire

GFN/re
cc: David L. Ratley

Carolyn V. Sullivan

CLERK, HOUSTON SUPERIOR COURT
Telephone 218-4720

201 Perry Parkway
Perry, Georgia 31069

Colleen B. McClintic
Chief Deputy Clerk

Sandra K. Adkins
Administrative Assistant

June 29, 2004

Mr. David L. Ratley, Director
Administrative Office of the Courts
244 Washington Street, S.W.
Suite 300
Atlanta GA 30334-5900

Re: Request for additional Judgeship

Dear David:

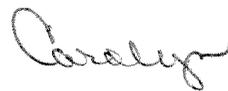
I understand that Judge Nunn has requested a study as to the need for an additional judgeship in our circuit. I am writing to express my view on this request. As you know, Houston County now has a population of over 110,000 as of the last census. With growth comes an increase in litigation and other matters to be handled by the Court.

As of this date, our next available temporary hearing date is in October. Both of our Judges work long hours and often hold Court well into the late evening hours in order to keep the case load moving. This is not only hard on them but hard on the parties involved in the cases.

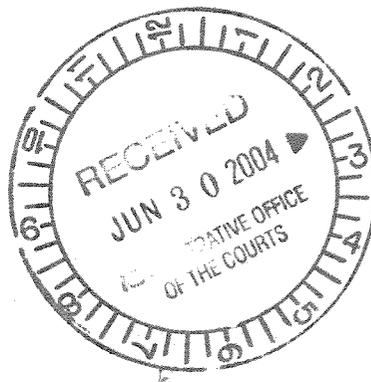
For these reasons, I am very much in favor of an additional Judgeship in this circuit.

If I can be of any further service, please do not hesitate to call me.

Sincerely,



Carolyn V. Sullivan



/cvs



House of Representatives

LARRY O'NEAL
REPRESENTATIVE, DISTRICT 117
311 MARGIE DRIVE-P.O. DRAWER 730
WARNER ROBINS, GEORGIA 31099
(478) 953-8494 (O)
(478) 953-2860 (H)
(404) 463-6612 (FAX)
E-MAIL: loneal@legis.state.ga.us

STATE CAPITOL, ROOM 109
ATLANTA, GEORGIA 30334
(404) 651-7737

ADMINISTRATION FLOOR LEADER

COMMITTEES:

BANKS & BANKING
APPROPRIATIONS
JUDICIARY

July 22, 2004

Mr. David R. Ratley, Director
Administrative Office of the Courts
244 Washington Street, SW
Suite 300
Atlanta GA 30334-5900

RE: *Additional Superior Court Judgeship
Houston Circuit*



Dear Mr. Ratley:

I am delighted to hear that Houston County is under consideration for the addition of a new Superior Court judgeship. Houston County is a rapidly growing county, and, as you know, has managed unprecedented growth for over eighteen years without requesting assistance from the Council. Since Houston County last added a superior court judge, the caseload has more than doubled in my estimation.

I am painfully aware of our current budget environment, which is why a request hasn't been made to you prior hereto. I am also aware that many circuits around the state are overwhelmed and under staffed, so priorities will need to be established; however, I honestly believe the Houston Circuit situation is unique in many ways.

First, Houston has two outstanding people and superlative jurist as our full time judges. Secondly, Houston has had the almost unfettered assistance of a senior judge who now unfortunately has health problems that could affect instantly, his availability. Thirdly, the two full time judges have worked hours that in a union environment, would have ignited a riot. Both of the Houston Circuit judges have families and a right to a life outside the courtroom. In other words, I really don't know how much longer we can expect them to work at the pace they currently achieve. Fourth, the Houston Circuit has a case disposition rate significantly in excess of the average around the state. Fifth, the state of Georgia's single largest employer is situated in Houston County which is a military base known as Robins Air Force Base. All military and many civilian employees of Robins Air Force Base are perpetually subject to rapid residency changes in support of national security. These people unlike more permanent residents are unable to sustain long delays for adjudication of matters they rightfully

July 22, 2004
Page 2

have before the Court. As far as I know, national security is about the only exception to the "laying all other business aside" rule for litigation. The impact of the requisite mobility of the national defense sector of the Houston County population is that without speedy and efficient management of their respective cases, their rights of access to the Court can be significantly mitigated or their zeal to access the Court chilled by the instability of their residential status. It is currently almost a three month wait to schedule a Rule Nisi hearing in a domestic case. Also, in connection with the Robins Air Force Base presence in Houston County, it is expected that the base realignment and closure initiative currently underway at the federal level will likely relocate, within eighteen months from the date of this letter, as many as an additional five thousand families to Houston County, which will be in addition to the ordinary growth rate.

I do not know the exact criteria for establishment of need regarding the granting of additional judgeships. I hope the Houston Circuit will qualify without consideration of unique circumstances, but if not, I would humbly request you consider the aforementioned unique factors in your honorable evaluation.

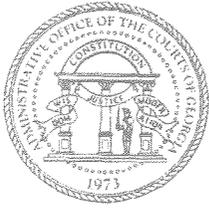
Thank you for all you do for our great state. If I can be of any assistance to you, please do not hesitate to call.

Sincerely,



Larry O'Neal
Representative, District 117

LEO: tmh
cc: Judge George Nunn
cc: Judge Edward Lukemire
cc: Rep. Larry Walker
cc: Sen. Ross Tolleson



Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

MEMORANDUM

TO: Each Member of the Judicial Council

FROM: Gregory W. Arnold 

DATE: August 20, 2004

RE: **Southern Judicial Circuit**
Carryover Recommendation for Fifth Judgeship & Sixth Judgeship Request Summary

Date Received	Authored by	Content
June 14, 2004	Chief Judge H. Arthur McLane Southern Judicial Circuit Second Judicial District	Request to renew study to assess the need of additional judgeships.
June 14, 2004	Penny Houston, Representative District 139 House of Representatives	Request for a study to assess the need of additional judgeships.
July 6, 2004	Senior Judge Roy M. Lilly Southern Judicial Circuit Second Judicial District	Reaffirmation of the need for additional judgeships.
July 12, 2004	Chief Judge H. Arthur McLane Southern Judicial Circuit Second Judicial District	Additional information including the health of senior judge.
July 19, 2004	Walter Van Heiningen Attorney Southern Judicial Circuit	Letter of support.
July 28, 2004	Melinda M. Katz Attorney Southern Judicial Circuit	Letter of support.
July 30, 2004	Berry Earle, III Attorney Southern Judicial Circuit	Letter of support.

H. ARTHUR McLANE
CHIEF JUDGE
POST OFFICE BOX 1349
VALDOSTA, GEORGIA 31603-1349
TELEPHONE: 229/333-5130
FACSIMILE: 229/245-5223

HARRY JAY ALTMAN, II
JUDGE
POST OFFICE BOX 1734
THOMASVILLE, GEORGIA 31799-1734
TELEPHONE: 229/228-6276
FACSIMILE: 229/225-4128

FRANK D. HORKAN
JUDGE
POST OFFICE BOX 2227
MOULTRIE, GEORGIA 31776-2227
TELEPHONE: 229/616-7445
FACSIMILE: 229/616-7447

RICHARD M. COWART
JUDGE
POST OFFICE BOX 806
VALDOSTA, GEORGIA 31603-0806
TELEPHONE: 229/333-7620
FACSIMILE: 229/245-5308



State of Georgia
Superior Courts
Southern Judicial Circuit

June 10, 2004

GEORGE A. HORKAN, JR.
SENIOR JUDGE
POST OFFICE BOX 682
MOULTRIE, GEORGIA 31776-0682
TELEPHONE: 229/616-7445
FACSIMILE: 229/616-7447

ROY M. LILLY
SENIOR JUDGE
POST OFFICE BOX 71
THOMASVILLE, GEORGIA 31799-0071
TELEPHONE: 229/226-8668
FACSIMILE: 229/226-0411

TIM C. HENDRICK
COURT ADMINISTRATOR
POST OFFICE BOX 2227
MOULTRIE, GEORGIA 31776-2227
TELEPHONE: 229/616-7474
FACSIMILE: 229/616-7447

BROOKS, COLQUITT, ECHOLS,
LOWNDES & THOMAS COUNTIES

Chief Justice Norman Fletcher
Chairman, Judicial Council of Georgia
507 State Judicial Building
Atlanta, Ga 30334

Re: Request for Additional Judgeship
Southern Judicial Circuit

Dear Chief Justice Fletcher:

I have received your letter of June 4, 2004.

By this letter, I wish to renew our request for an additional judgeship for the Southern Circuit. As you know, in 2003 the Judicial Council approved an additional judgeship for the Southern Circuit, but, unfortunately, the legislature did not approve the funding for the additional judge. We are currently operating the circuit with four sitting judges and with the limited assistance of two senior judges. As I understand the formula for determining the amount of judges required to run a circuit, the formula indicates that the Southern Circuit is eligible for eight judges. We desperately need assistance and I ask that the Judicial Council consider granting approval to create a sixth judgeship for our circuit, and, if it is necessary at this point, we renew our request for a fifth judge.

On behalf of all of the judges of the Southern Circuit, we appreciate any favorable consideration the Council could give us, and if you need anything further from me at this point, please contact me.

Sincerely,

H. Arthur McLane

HAMc:bh
xc: Mr. David Ratley, Director
Southern Circuit Judges





House of Representatives

PENNY HOUSTON
REPRESENTATIVE, DISTRICT 139
1115 RAY CITY ROAD
NASHVILLE, GEORGIA 31639
(229) 686-7454 (O)
(229) 686-2467 (H)
(229) 686-7187 (FAX)

LEGISLATIVE OFFICE BUILDING, ROOM 507
ATLANTA, GEORGIA 30334
(404) 656-0202

June 9, 2004

STANDING
COMMITTEES:

AGRICULTURE & CONSUMER AFFAIRS
BANKS & BANKING
ECONOMIC DEVELOPMENT & TOURISM

Honorable Norman S. Fletcher, Chief Justice
Chairperson
Judicial Council of Georgia
Administrative Office of the Courts
Suite 300 - 244 Washington Street, S.W.
Atlanta, Georgia 30334-5900

Dear Mr. Chairman:

This is in reference to your letter of June 4th advising that the Judicial Council of Georgia has authorized the Administrative Office of the Courts to accept requests to conduct studies to determine the need for additional judgeships or changes in existing circuit boundaries.

As instructed in your letter, this is a request that a study be made of the Southern Judicial Circuit. At the present time the Southern Circuit, under the current formula, should have eight active judges, and they only have four.

A study of the Southern Judicial Circuit will be appreciated. The numbers will speak for themselves.

Sincerely,

Penny Houston

c: Mr. David L. Ratley, Director
Administrative Office of the Courts
Suite 300 - 244 Washington Street, S.W.
Atlanta, GA 30334-5900

c: Southern Judicial Circuit





Roy M. Lilly
Senior Judge, Superior Courts
State of Georgia

POST OFFICE BOX 71
THOMASVILLE, GEORGIA
31799

PHONE: 912-226-8668
912-228-6276
FAX: 912-226-0411

June 30, 2004

Mr. David Ratley, Director
Administrative Office of the Courts
244 Washington Street, S.W.
Atlanta, Ga 30334

Re: Additional Judgeship
Southern Judicial Circuit



Dear Mr. Ratley:

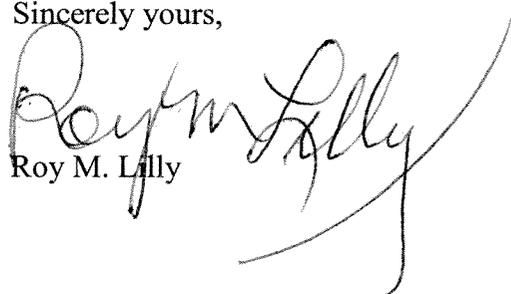
Thank you for the copy of your June 24, 2004, letter to Chief Judge McLane, advising that the Southern Circuit's fifth judgeship will be a carryover from last year's approval by the Judicial Council.

I further understand from your letter that Judge McLane and Rep. Penny Houston have requested that the Judicial Council conduct a further study to address the need for a sixth judgeship for the Southern Circuit and that the Judicial Council will be conducting that study.

The Southern Circuit, a five-county circuit, is currently operating with only four sitting judges with assistance from me and the limited assistance of one other senior judge. As you know, the caseload of the Southern Circuit calls for eight sitting judges and funding from the General Assembly was not passed this legislative session. We are in need of assistance; I appreciate every endeavor made on behalf of those requesting an additional judgeship and concur with the same.

If I can offer you further information regarding a sixth judgeship for the Southern Judicial Circuit or if there are any questions you would like to ask me, please contact me.

Sincerely yours,


Roy M. Lilly



H. Arthur McLane
Chief Judge Superior Courts
Southern Judicial Circuit

P. O. BOX 1349
VALDOSTA, GA 31603-1349
TELEPHONE: 229/333-5130
FACSIMILE: 229/245-5223

BROOKS, COLQUITT, ECHOLS
LOWNDES & THOMAS
COUNTIES

July 9, 2004

Mr. David L. Ratley, Director
Administrative Office of the Courts
244 Washington Street, S.W., Suite 300
Atlanta, Ga 30334

Re: Additional Judgeship
Southern Judicial Circuit



Dear David:

I understand that our carryover request for a fifth judgeship and our additional request for a sixth superior court judgeship will be considered by the Judicial Council at its meeting on August 27, 2004. Your file should contain various letters with relevant information about our need for additional judgeships and I would appreciate your including them in the normal notebook that is furnished to members of the Judicial Council.

An additional factor that we would appreciate being considered by the council at this point is the fact that Senior Judge George Horkan's health has further deteriorated and he is no longer able to provide the limited assistance that he was providing for us last year at this time. Therefore, our need for additional judges is even more pressing at this point.

I am aware that I would not normally be allowed to speak at the Judicial Council meeting itself, but if it would be helpful for me to attend the meeting on August 27, I would appreciate the opportunity to do so. If the council would prefer that I not attend, I will certainly abide by that direction. I would, though, appreciate your informing me on this point one way or the other.

Thank you very much. If there is anything further I need to provide you regarding this request, please let me know.

Sincerely yours,

H. Arthur McLane

HAMc:bh
xc: Circuit Judges
Mr. Tim Hendrick, C.C.A.
Mr. John E. Cowart, D.C.A.

Attorney at Law

WALTER E. VAN HEININGEN

P.O. Box 1935 • 509 North Broad Street
Thomasville, Georgia 31799
(229) 226-7013 • FAX (229) 226-0720



July 15, 2004

Chief Justice Norman Fletcher
Chairman, Judicial Council of Georgia
507 State Judicial Building
Atlanta, GA 30334

Re: Southern Judicial Circuit - Additional Judgeship

Dear Mr. Chief Justice:

I have practiced in the Southern Judicial Circuit since being admitted to the Bar in June of 1977. I am most likely as familiar with the judicial system in this area as anyone.

It has come to my attention that my circuit is second behind only Gwinnett County in a showing of "need" for an additional Superior Court Judgeship. I am most definitely aware of the population expansion in Gwinnett since I have had that issue addressed to me many times in my capacity as a member of the State Health Planning Review Board.

However, my circuit has a problem nearly equal to that of Gwinnett. We have a circuit that spans the distance all the way from Echols County, through Lowndes County, Brooks County, Colquitt County, and Thomas County. Even on a good-traffic day and in good weather, it might take my Judges several hours worth of travel time each day in order to perform their duties.

My Judges work very hard. They need a fifth Judge to help them. Any help you can give them would be greatly appreciated. If you have any questions or wish further input, please do not hesitate to contact me.

Thank you in advance for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Walter Van Heiningen". The signature is fluid and cursive, with a long horizontal stroke at the end.

Walter Van Heiningen

WVH/dsa

cc: Mr. David L. Ratley
Honorable H. Arthur McLane

Melinda M. Katz

Attorney at Law

July 26, 2004

The Honorable Norman Fletcher, Chief Justice
Chairman, Judicial Council of Georgia
507 State Judicial Building
Atlanta, Georgia 30334

Re: Additional Superior Court Judgeship
Southern Judicial Circuit

Dear Chief Justice Fletcher:

This letter is in support of an additional judgeship for the Superior Court in the Southern Judicial Circuit. I wrote a letter to you in regard to this issue last year, and again I write to make the same request. Since a recommendation by the Judicial Council is advisable, I hope that the council will make such a recommendation. Please give the matter serious consideration, and ask the other members of the council to do so, as an additional judge in this circuit is sorely needed.

Thank you so much for your consideration of, and recommendation for, this additional judgeship.

Sincerely,



Melinda M. Katz

MMK/mw

c: Mr. David L. Ratley, Director,
Administrative Office of the Courts

The Honorable H. Arthur McLane, Chief Judge,
Southern Judicial Circuit



BERRY EARLE, III

Attorney at Law

107 North Broad Street PO Box 573
Thomasville, GA 31799-0573
phone: (229) 226-2917 fax: (229) 228-6811
earle@rose.net
www.bearlelaw.com

July 27, 2004

Chief Justice Norman Fletcher
Chairman, Judicial Council of Georgia
507 State Judicial Building
Atlanta, GA 30334

RE: Southern Judicial Circuit - Additional Judgeships

Dear Chief Justice Fletcher:

This letter is being written in response to the July 9, 2004 letter from the Honorable H. Arthur McLane, Chief Judge Superior Courts, Southern Judicial Circuit, to the Thomasville Bar Association, with regard to the request for additional judgeships for the Southern Circuit.

Having been a trial lawyer in Thomasville, Georgia, for more than twenty five years, I can see the dire need for additional judgeships in our Circuit. I completely support this request, and ask for your consideration and support at the upcoming meeting of the Judicial Council and with the General Assembly on August 27, 2004.

By copy of this letter to David L. Ratley, Director of Administrative Office of the Courts, I am asking his support for this request.

Yours Truly,



BERRY EARLE, III

BE/vm

xc: David L. Ratley, Director ✓
Administrative Office of the Courts
Honorable H. Arthur McLane
Daniel H. Hayes, President,
Thomasville Bar Association





Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

MEMORANDUM

TO: Each Member of the Judicial Council

FROM: Gregory W. Arnold 

DATE: August 20, 2004

RE: **Cherokee Judicial Circuit Summary**
Carryover Recommendation for Fourth Judge

Date Received	Authored by	Content
June 9, 2004	Chief Judge Shepherd L. Howell Cherokee Judicial Circuit Seventh Judicial District	Confirming carryover status.
July 21, 2004	Representative Bill Cummings House of Representatives District 19	Request for an updated study to access the need for an additional judgeship.



SHEPHERD L. HOWELL
JUDGE

SUPERIOR COURTS
CHEROKEE JUDICIAL CIRCUIT
BARTOW AND GORDON COUNTIES

135 WEST CHEROKEE AVENUE
SUITE 322
CARTERSVILLE, GEORGIA 30120
770-387-5124 PHONE
770-606-2397 FAX

June 8, 2004

Chief Justice Norman S. Fletcher
State Judicial Building
Room 507
40 Capitol Square
Atlanta, Georgia 30334



RE: Fourth Judgeship for the Cherokee Judicial Circuit

Dear Justice Fletcher:

This is a response to your letter of June 4, 2004. The Cherokee Judicial Circuit will again be seeking the creation of a fourth Judgeship. Our request was approved last year, and I believe it would have been passed by the Legislature except for the severe budget crisis being suffered by the State.

It is my understanding that because we were approved in 2004, we will automatically be approved for the year 2005. However, if I need to do any additional work on this matter, please let me know.

Yours very truly,

Shepherd L. Howell, Chief Judge
Superior Courts - Cherokee
Judicial Circuit

SLH/ks

cc: David L. Ratley, Director ✓
Administrative Office of the Courts



House of Representatives

BILL CUMMINGS
REPRESENTATIVE, DISTRICT 19
735 MORGAN VALLEY ROAD
ROCKMART, GEORGIA 30153
(404) 656-5143 (O)
(770) 684-3747 (H)
(404) 657-0499 (FAX)
E-MAIL: bcumming@legis.state.ga

STATE CAPITOL, ROOM 402
ATLANTA, GEORGIA 30334
(404) 656-5143

STANDING
COMMITTEES:

APPROPRIATIONS
INTERSTATE COOPERATION
RETIREMENT, CHAIRMAN
WAYS AND MEANS

July 20, 2004

Mr. David L. Ratley
Director, Judicial Council of Georgia
Administrative Office of the Courts
Suite 300
244 Washington Street, S.W.
Atlanta, GA 30334

Dear Mr. Ratley:

In addition to prior information submitted by me to the Judicial Council regarding a fourth Superior Court Judgeship in the Cherokee Judicial Circuit, I wish to highly recommend that the application for such be honored. An updated study of the need will show that the fourth Judgeship is warranted.

If I may provide additional information, please do not hesitate to contact me.

With warmest personal regards, I remain

Sincerely,

Bill

Bill Cummings
District 19

BC/ks





Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

MEMORANDUM

TO: Each Member of the Judicial Council

FROM: Gregory W. Arnold 

DATE: August 20, 2004

RE: **Coweta Judicial Circuit**
Carryover Recommendation for Sixth Judgeship

Date Received	Authored by	Content
June 8, 2004	Chief Judge William F. Lee, Jr. Coweta Judicial Circuit Sixth Judicial District	Request for a study to assess the need of an additional judgeship.



THE SUPERIOR COURTS
OF THE STATE OF GEORGIA
COWETA JUDICIAL CIRCUIT

TELEPHONE
770 / 253-8175

WILLIAM F. LEE, JR.
JUDGE OF SUPERIOR COURT
21 SPRING STREET - P.O. BOX 8
NEWNAN, GEORGIA 30264

COUNTIES:
COWETA
CARROLL
HEARD
MERIWETHER
TROUP

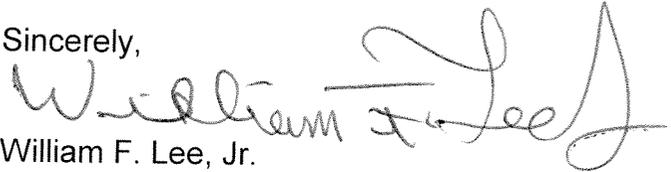
June 7, 2004

The Honorable Norman S. Fletcher
Chief Justice of Supreme Court of Georgia
507 State Judicial Building
Atlanta, Georgia 30334

Dear Chief Justice Fletcher:

In response to your letter date June 4, 2004, as chief judge of this circuit, I am requesting that the Administrative Office of the Courts conduct a study to determine the need for an additional superior court judgeship in the Coweta Judicial Circuit.

Sincerely,


William F. Lee, Jr.

WFLJr:jsh

cc. David L. Ratley





Judicial Council of Georgia
Administrative Office of the Courts

David L. Ratley
Director

MEMORANDUM

TO: Each Member of the Judicial Council
FROM: Gregory W. Arnold 
DATE: August 20, 2004
RE: **Gwinnett Judicial Circuit**
Carryover Recommendation for Ninth and Tenth Judgeships

Date Received	Authored by	Content
July 26, 2004	Chief Judge Dawson Jackson Gwinnett Judicial Circuit Ninth Judicial District	Reinstatement of the need for ninth and tenth judgeships.



THE SUPERIOR COURT

GWINNETT JUDICIAL CIRCUIT

75 LANGLEY DRIVE

LAWRENCEVILLE, GEORGIA 30045-6900

CHAMBERS OF K. DAWSON JACKSON, CHIEF JUDGE

(770) 822-8619

July 22, 2004

Chief Justice Norman Fletcher
Chairman, Judicial Council of Georgia
c/o Georgia Administrative Office of the Courts
Suite 550, 244 Washington Street, SW
Atlanta, Georgia 30334-5900

SUBJECT: Request for Additional Judges

Dear Chief Justice Fletcher:

On behalf of the Superior Court Judges of the Gwinnett Judicial Circuit, I would like to restate our need for a ninth and tenth superior court judge. Based upon the 2001 case count conducted by the Georgia Administrative Office of the Courts, our Court's required judicial resources factor was 9.86, indicating a need of at least nine superior court judges. The 2002 case count indicated a required judicial resource factor of 10.76, showing a need for at least ten superior court judges.

Last year the Judicial Council's recommendation for judgeships ranked the Gwinnett Judicial Circuit as number one and number six for additional judges. According to our District Court Administrator for the Ninth Judicial District, the existing request before the Judicial Council for the ninth and tenth judgeships are still active and a submitted request for a study is not required.

As such, I would appreciate the Council's favorable consideration of the previously submitted request for a ninth and tenth superior court judgeship. The Gwinnett Judicial Circuit must prepare to meet the ever increasing demands on the court system as Gwinnett County continues to be one of the fastest growing counties in our state.

Sincerely,


DAWSON JACKSON
Chief Judge, Gwinnett Judicial Circuit

KDJ:acn

c: Judges, Gwinnett Judicial Circuit
Gwinnett County Legislative Delegation
Gwinnett County Board of Commissioners
District Attorney
Clerk of Court
District Court Administrator, Ninth Judicial District
✓ David L. Ratley





Judicial Council of Georgia
Board of Court Reporting

David L. Ratley
Director, AOC

Sharon Reiss
Program Manger

Memorandum

To: Judicial Council

From: Sharon Reiss, Program Manager Certification 

Date: Thursday, August 05, 2004

Re: Report from the Judicial Council Court Reporting Matters Committee

I submit this report on behalf of Judge William Boyett, Chair and the Judicial Council Court Reporting Matters Committee.

Joining me in this committee are Judge Herbert E. Phipps, Chief Judge William "Hal" Craig, Judge John F. Salter, Sr. The committee reviewed an issue on behalf of the full council membership:

The Board of Court Reporting adopted Learning Essentials About Professionalism (LEAP) to its rules and regulations. LEAP will be a mandatory seminar that all newly certified court reporters must attend within 12 months of licensure. The Board believes it will enhance professionalism in the court reporting profession in Georgia.

The committee affirms the LEAP rule addition.

Art 4.

of the information given, and within 40 days of receipt of the application, a numbered certificate and identification card will be issued as described below.

C. Right to Review

The Board of Court Reporting reserves the right to review any Application for Certification, and may refuse to certify any applicant for good cause shown.

D. Reporting Method Indicated on Certificate

The certificate will specify the method of takedown used to pass the test, including whether an electronic recording device as a backup system was used (pre-1991 rules). The court reporter shall use this certified method. Any court reporter certified without a backup may choose to use a backup system in performance of daily duties. A reporter may be certified in more than one method of takedown by successfully passing the exam using another system. However, each certificate will only indicate the most recent method of takedown used to pass the test.

E. Identification Cards

In addition to the certificate, individual identification cards will be issued to all certified reporter annually. These cards will identify the reporter by the certificate number and the method used to pass the most recent certification test taken. The court reporter shall use this certified method. Court Reporters certified in more than one method of takedown may receive an annual identification card each method of takedown in which they are certified. Any court reporter certified without a backup may choose to use a backup system in performance of daily duties.

F. Learning Essentials About Professionalism (LEAP)

A newly certified Georgia Certified Court Reporter shall complete the LEAP seminar authorized by the Board or its designee within 12 months of certification. A newly certified court reporter is a court reporter who becomes certified in the state of Georgia for the first time either by reciprocity or by passing the Georgia Certified Court Reporters' Exam.

ARTICLE 5. Retesting

An applicant who fails to pass all sections of the dictation portion or to pass the written portion will be required to retake the test at a future date in order to receive a certificate. A new application and testing fee must be submitted each time the applicant takes the exam.

Passing credit for the exam will be given when all three dictation sections are passed with 96% accuracy or higher.

An applicant who has received accommodation for a disability from the Board during a prior test administration must submit the Request for Disability Accommodation Guidelines cover sheet with each succeeding application for which identical accommodation is requested. If an applicant requests accommodation for a disability that differs from a prior disability accommodation request, the applicant must submit the Request for Disability Accommodation Guidelines and may have to provide appropriate documentation of the disability. The Board reserves the right to require appropriate documentation of a disability as it deems necessary.

8. To do any and all things necessary or convenient to enable it to adequately perform its duties and to exercise the power granted to it;
9. The training council at its initial meeting, which shall be held promptly after the appointment of its members, shall elect from among its members a chair, vice-chair, and secretary who shall serve for one year. The Administrative Office of the Courts shall provide staff assistance;
10. The members present, but not less than three, at any meeting shall constitute a quorum for the transaction of business; and
11. The training council shall maintain minutes of its meetings and shall provide a written report of the previous calendar year's activities to the Board by March 1 of each year.

C. Training requirements. Each certified court reporter, and each holder of a emergency permit, shall be required to attend a minimum of 10 hours of approved training per calendar year to maintain a valid certificate to practice as a reporter in Georgia. Any court reporter issued an initial certificate or emergency permit is not required to acquire credit hours for that calendar year except that every newly certified Georgia court reporter shall complete the LEAP seminar within 12 months of certification as defined in Article 4-F.

D. Sanctions for Not Meeting Training Requirements

1. Failure to comply with the continuing education requirements as contained in Article 9.C., shall be grounds for disciplinary action under Article 11 of these rules. Sanctions may be imposed for any one of the following reasons:
 - a) Failure to complete required credits within specified time period;
 - b) Failure to submit required reporting forms, or proof of compliance; or
 - c) Falsified information on a required reporting form.
 - d) Any newly certified Georgia court reporter who fails to complete the LEAP seminar as defined in Article 4-F shall be automatically suspended and cease all court reporting; said suspension shall result in automatic revocation if said newly certified Georgia court reporter fails to complete the next LEAP seminar following suspension and may only be recertified pursuant to Article 4 of these rules.
2. **Notice of Noncompliance.** The Board of Court Reporting will include with the CCR Annual Renewal of License form a Notice of Noncompliance for any reporter who has not met the ten credit hour training requirement for the previous year. Any court reporter failing to meet the training requirements may make up such deficiency before the end of that calendar year unless otherwise notified by the Board. Effective January 1, 2000, any court reporter failing to meet the training requirements in a calendar year will be suspended on April 1 of the following year.
3. **Notice of Suspension.** In lieu of the CCR Annual Renewal of License form, a Notice of Suspension will be sent to any reporter who has not met the ten credit hour training requirement for the previous two years. Effective January 1, 2000 a Notice of Suspension will be sent to any reporter who has not met the ten credit hour training requirement for the previous year by April 1st. Suspension is immediate, but individual requests for extensions of time will be considered on a case-by-case basis, according to Part I.D. of the CRTC Rules.

TAB 13

BUDGET MATERIALS

**FY 2005 SUPPLEMENTAL
AND**

FY 2006 GENERAL APPROPRIATIONS & ENHANCEMENTS

WILL BE PRESENTED AS A HANDOUT AT THE MEETING